

CALIFORNIA

★ PRIMARY ELECTION ★

Tuesday, March 5, 2002

CERTIFICATE OF CORRECTNESS

I, Bill Jones, Secretary of State of the State of California, do hereby certify that the measures included herein will be submitted to the electors of the State of California at the Primary Election to be held throughout the State on March 5, 2002, and that this pamphlet has been correctly prepared in accordance with the law.

Witness my hand and the Great Seal of the State in Sacramento, California, this 10th day of December, 2001.



Bill Jones
Secretary of State



OFFICIAL VOTER INFORMATION GUIDE

SECRETARY OF STATE



Dear Voter:

The tragic events of September 11, 2001, have given all Americans a new appreciation for our Democracy. The terrorist acts were assaults against the rights and freedoms we all enjoy as Americans—not the least of which is the right to vote in the most revered Democracy the world has ever seen.

One of the most effective ways to send a message back to the terrorists who have attempted to threaten our way of life is for you to ensure that all of your neighbors, friends, family, and coworkers join you in a massive turnout at the polls on Election Day.

The Secretary of State's office will do our part to assist the military to ensure that the men and women protecting America overseas will have every opportunity to vote, even under the most difficult circumstances.

With recent election reforms that allow voter registration up to fifteen days prior to an election, the Secretary of State's decision to phase out archaic punchcard voting technology, the simplification of the absentee ballot process, and increased opportunities for nonpartisan voters to participate in primary elections now provide Californians every convenience and opportunity to vote in record numbers.

To prepare for Election Day, please review the material in this Voter Information Guide and on the Internet at www.ss.ca.gov. To help us improve the information provided to voters for future elections, we also urge you to complete and return the survey card provided in the back of this pamphlet.

As a registered voter, you have the opportunity this March to further strengthen the foundation of our Democracy by exercising your most fundamental right—the right to vote! We look forward to seeing you, your friends, family, and colleagues at the polls on March 5, 2002. Together, we can send a message that our Democracy and the sacred freedoms of America will remain forever strong for our children and grandchildren.



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“Vote America” is the answer for every American who wants to give back to our country, show support, and honor those who have given their lives for our freedom.

The goal of the “Vote America” project is to provide every eligible voter with the opportunity to be a part of America and help protect democracy by strengthening it at its very core—the ballot box.

“Vote America” is a voter outreach, voter education, voter turnout, and a volunteer recruitment program.

There are lots of ways that you can get involved. Visit the “Vote America” website at www.voteamerica.ca.gov to register to vote, obtain nonpartisan voter information, locate your polling place location, or sign up to become a “Vote America” volunteer.

Together, we can keep our country strong!



DATES TO REMEMBER

February

FEBRUARY 4, 2002

First day to apply for an absentee ballot by mail

FEBRUARY 19, 2002

Last day to register to vote

FEBRUARY 26, 2002

Last day to apply for an absentee ballot by mail

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

MARCH 5, 2002

Last day to apply for an absentee ballot in person at the office of the county elections official

MARCH 5, 2002 ELECTION DAY!

REMEMBER TO VOTE!

Polls are open from 7 a.m. to 8 p.m.

www.ss.ca.gov



NEW DEADLINE TO REGISTER TO VOTE

Important Notice! A new law has changed the deadline to register to vote from the 29th day to the 15th day before an election. The last day to register to vote for the March 5, 2002, Primary Election is February 19, 2002. Persons who register to vote between February 4th and February 19th will receive a notice of their polling place location, but there may not be time to mail them a copy of this guide or the sample ballot mailed by each county.

Register Early! Please encourage your family and friends to register on or before February 4, 2002, to ensure they receive all the election information they need.

Provisional Voting. There may not be time to add the names of persons who register late (after February 4, 2002) to the list of voters used at the polling place. If your name does not appear on the list, you are entitled to vote a “provisional” ballot. You may be asked to show proof of your residence address. A provisional ballot is the same as a regular ballot. However, elections officials are required to verify a voter’s registration before counting provisional ballots. If you are required to vote by provisional ballot, the poll workers at your polling place will be able to assist you.

Online Information. You can review the contents of this publication online at the Secretary of State’s website at www.ss.ca.gov. In addition, copies of voting material will be available at your polling place.

**Call the Secretary of State’s toll-free number:
1-800-345-VOTE**

www.ss.ca.gov



CAN'T FIND YOUR POLLING PLACE?

We'll point you in
the right direction.

www.ss.ca.gov



COME TO OUR WEBSITE TO:

- Find your polling place
- Research campaign contributions
- Watch live election results
- Obtain absentee ballot information
- View lists of candidates

Send your comments to the
Secretary of State at bjones@ss.ca.gov



BALLOT MEASURES DEFINED

LEGISLATIVE BOND MEASURE

Any bill that calls for the issuance of general obligation bonds must be adopted in each house of the Legislature by a two-thirds vote, signed by the Governor, and approved by a simple majority of the public's vote to be enacted. Whenever a bond measure is on a statewide ballot, an overview of California's bond debt is included in the ballot pamphlet.

LEGISLATIVE CONSTITUTIONAL AMENDMENT

Whenever the Legislature proposes an amendment to the California Constitution, it is known as a legislative constitutional amendment. It must be adopted in the Senate and the Assembly by a two-thirds vote before it can be placed on the ballot. A legislative constitutional amendment does not require the Governor's signature. This type of amendment requires a simple majority of the public's vote to be enacted.

LEGISLATIVE INITIATIVE AMENDMENT

Whenever the Legislature proposes to amend a law that was previously enacted through the initiative process, the Legislature is required to present the amendment to the voters for passage. The Legislature may amend the previously-adopted initiative measure if the measure permits legislative amendment or repeal without voter approval. This type of amendment requires a simple majority of the public's vote to be enacted.

INITIATIVES

Often referred to as "direct democracy," the initiative process is the power of the people to place measures on the ballot. These measures can either create or change statutes (including general obligation bonds) and amend the California Constitution. If the initiative proposes to amend California statute, signatures of registered voters gathered must equal in number to 5% of the votes cast for all candidates for Governor in the previous gubernatorial election. If the initiative proposes to amend the California Constitution, signatures of registered voters gathered must equal in number to 8% of the votes cast for all candidates for Governor in the previous gubernatorial election. An initiative requires a simple majority of the public's vote to be enacted.

REFERENDUM

Referendum is the power of the people to approve or reject statutes adopted by the Legislature. However, referenda can not be used to approve or reject urgency measures or statutes that call for elections or provide for tax levies or appropriations for current expenses of the state. Voters wishing to block implementation of a legislatively-adopted statute must gather signatures of registered voters equal in number to 5% of the votes cast for all candidates for Governor in the previous gubernatorial election within 90 days of enactment of the bill. Once on the ballot, the law is defeated if voters cast more NO votes than YES votes on the referendum question.



THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002.



OFFICIAL TITLE AND SUMMARY

Prepared by the Attorney General

THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002.

- This act provides for a bond issue of two billion six hundred million dollars (\$2,600,000,000) to provide funds to: protect rivers, lakes, and streams to improve water quality and ensure clean drinking water; protect beaches and coastal areas threatened by pollution; improve air quality; preserve open space and farmland threatened by unplanned development; protect wildlife habitat; restore historical and cultural resources; repair and improve safety of state and neighborhood parks.
- Subject to annual independent audit.
- Appropriates money from state General Fund to pay off bonds.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- State cost of about \$4.3 billion over 25 years to pay off both the principal (\$2.6 billion) and interest (\$1.7 billion) costs on the bonds. Payments of about \$172 million per year.
- Costs potentially in the tens of millions of dollars annually to state and local governments to operate or maintain property bought or improved with these bond funds.

FINAL VOTES CAST BY THE LEGISLATURE ON AB 1602 (PROPOSITION 40)

Assembly: Ayes 60 Noes 8

Senate: Ayes 29 Noes 4

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

The state carries out various programs to conserve natural and cultural resources, protect the environment, and provide recreational opportunities for the public. The state also provides grants and loans to local public agencies and nonprofit associations for similar purposes.

Some of the funding for such programs has come from general obligation bond funds. General obligation bonds are backed by the state, meaning that the state is required to pay the principal and interest costs on these bonds. General Fund revenues would be used to pay these costs. These revenues come primarily from the state personal and corporate income taxes and sales tax.

Since 1980, voters have approved about \$7.6 billion of general obligation bonds to provide funding for these state and local programs as follows:

- **Bonds to Improve Water Quality and Supply.** About \$3.8 billion in bonds have been approved for various water-related purposes, including improving the safety of drinking water, flood control, water quality, and the reliability of the water supply.
- **Bonds for Natural Resource Conservation and Recreational Opportunities.** About \$3.8 billion in bonds have been approved to purchase, protect, and improve recreational areas (such as parks and beaches), cultural areas (such as historic buildings and museums), and natural areas (such as wilderness and open-space areas, trails, wildlife habitat, and the coast).

It is estimated that all but about \$1.2 billion of the bonds authorized by these previous bond acts will have been spent or committed to specific projects as of June 2002.

In addition, the state also carries out programs that provide grants to public agencies and private organizations for projects that reduce air pollution. These programs have been funded from various funds, including the General Fund.

PROPOSAL

This measure allows the state to sell \$2.6 billion of general obligation bonds to conserve natural resources (land, air, and water), to acquire and improve state and local parks, and to preserve historical and cultural resources.

Figure 1 summarizes the purposes for which the bond money would be used. The bond money would be available for expenditure by various state agencies and for grants to local public agencies and nonprofit associations.

FIGURE 1

CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT USES OF BOND FUNDS

<i>(IN MILLIONS)</i>	
	Amount
Land, Air, and Water Conservation	\$1,275.0
• State conservancies acquisition, development, and restoration projects.	445.0
• Wildlife habitat acquisition and restoration projects.	300.0
• Water quality protection and restoration activities, including protection of watersheds, coastal waters, beaches, rivers, and lakes.	300.0
• Agricultural and grazing lands preservation.	75.0
• Urban river parkways and streams development, restoration, and protection projects.	75.0
• Grants for reducing air emissions from diesel-fueled equipment operating within state and local parks.	50.0
• Land and water resource protection and restoration through the California Conservation Corps.	20.0
• Urban forestry programs.	10.0
Parks and Recreation	\$1,057.5
• Urban parks and recreational facilities acquisition and development.	460.0
• Regional and local park acquisitions and development (funds distributed based on population).	372.5
• State park improvements and acquisitions.	225.0
Historical and Cultural Resources Preservation	\$267.5
• Acquisition, development, and preservation of culturally and/or historically significant properties, structures, and artifacts.	267.5
Total	\$2,600.0

FISCAL EFFECT

Bond Costs. For these bonds, the state would make principal and interest payments from the state's General Fund over a period of about 25 years. If the bonds were sold at an interest rate of 5 percent (the current rate for this type of bond), the cost would be about \$4.3 billion to pay off both the principal (\$2.6 billion) and interest (\$1.7 billion). The average payment would be about \$172 million per year.

Operational Costs. The state and local governments that buy or improve property with these bond funds will incur additional costs to operate or manage these properties. These costs may be offset partly by revenues from those properties, such as state park entrance fees. The net additional costs (statewide) could be in the tens of millions of dollars annually.



THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002.

ARGUMENT IN FAVOR OF PROPOSITION 40

Yes on 40 for Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection!

Clean water and clean air are essential for all Californians. Safe neighborhood parks give our children and families secure places to enjoy the outdoors. Protecting California's coast from pollution and over-development is vital for people and wildlife.

Working together to pass Proposition 40, we can improve our quality of life today and for future generations.

YES ON 40 WILL:

- Protect our drinking water, our air and our beaches from toxic pollution
Protect coastal lands and beaches threatened by development
Provide kids with safe places to play
Enhance our economy and protect our environment

YES ON 40 IS SUPPORTED BY:

- California Organization of Police and Sheriffs
National Audubon Society
Clean Water Action
National Wildlife Federation
Concerned Citizens of South Central Los Angeles
League for Coastal Protection
League of Women Voters of California

ANNUAL FINANCIAL AUDITS AND STRICT SAFEGUARDS REQUIRED:

- Annual Audits
Public Hearings
Citizen Reviews

YES ON 40 WILL NOT RAISE TAXES. It requires existing tax revenue to be spent more efficiently and effectively.

A HEALTHY CALIFORNIA FOR ALL: "Clean water, clean air, and safe parks benefit all Californians. Yes on 40 is the prescription for a healthy California." League of Women Voters of California

CLEAN WATER: "We can help keep our water free of pollution and protect our bays, beaches and rivers from urban runoff by supporting Proposition 40. This measure is vital because it protects the lands that give us clean water." Clean Water Action

CLEAN AIR: "Yes on 40 reduces air pollution and improves air

quality by replacing the dirtiest vehicles—old, polluting diesel trucks and buses—with new, cleaner vehicles and pollution control equipment. We will breathe easier by voting yes on 40." California Air Pollution Control Officers Association

SAFE NEIGHBORHOOD PARKS: "Giving kids safe places to play keeps them away from gangs, drugs and violence. Yes on 40 will make our communities safer." California Organization of Police and Sheriffs

HELPS FISH AND WILDLIFE: "Protecting our lands and restoring polluted waterways will help our state's wildlife. Yes on 40 will preserve California's natural resources for future generations." The Nature Conservancy

INVEST IN CALIFORNIA'S FUTURE: "California's economy depends on preserving quality of life. The investments provided by this measure will keep California's tourism industry strong, helping California companies attract and keep employees, and strengthening communities throughout the state." California Business Properties Association

TOUGH FISCAL SAFEGUARDS: "Strict safeguards will ensure that Proposition 40 funds are spent properly and efficiently. Fortunately, California can afford to make this wise investment in our future." State Treasurer Philip Angelides

Together, we can make a big difference in improving the health and quality of life of our children, grandchildren and generations to come. Yes on 40 cleans our air and water, reduces pollution, protects our coast, bays, beaches and lakes and makes our parks safer. Proposition 40 includes annual audits and strict financial safeguards.

To help, or for more information, see www.voteyeson40.org. YES on 40!

DAN TAYLOR, Executive Director Audubon California

HANK LOCAYO, President Congress of California Seniors

BARBARA INATSUGU, President League of Women Voters of California

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 40

DON'T BE FOOLED AGAIN:

The special interests in favor of Proposition 40 listed above are the same groups that asked us to vote for Propositions 12 and 13 two years ago. To quote the 2000 California Voter Information Guide, they promised us that Proposition 12 would:

- "Protect Our Air, Water, Rivers & Beaches from Toxic Pollution"
"Provide Kids Safe Places to Play"
"Help Keep Kids Off Streets & Out of Gangs"
"Protect our Environment & Enhance our Economy"

SOUND FAMILIAR? These are the very same claims they now make for Proposition 40! So why do they want to spend another \$2,600,000,000 of our money on the same thing?

More importantly, what did they do with the \$4,000,000,000 we gave them in 2000?

It turns out they substituted the word "pork" for "park." For example:

- \$44,750,000 for three "science" centers
\$30,000,000 to the San Francisco Bay Area Conservancy Program

- \$15,000,000 to the City of San Francisco
\$2,750,000 for rail sites and underground mines
\$2,000,000 for a "visitor" center along the American River
\$2,000,000 for a "camp" in Alameda County
\$250,000 to "maintain the state flower"

PROPOSITION 40 DOES MORE OF THE SAME: It will blow most of the \$2,600,000,000 on more pork, not neighborhood parks, not clean air to breathe, and not clean water to drink.

WE TRUSTED THEM ONCE AND GOT BURNED. Don't let them waste another \$2,600,000,000 that we cannot afford to lose. Vote NO on Proposition 40!

SENATOR RAY HAYNES, Vice-Chair California State Senate Health Committee

ASSEMBLYMAN DICK DICKERSON, Vice-Chair California State Assembly Committee on Water, Parks and Wildlife

LEWIS K. UHLER, President The National Tax Limitation Committee

ARGUMENT AGAINST PROPOSITION 40

CALIFORNIANS CANNOT AFFORD MORE DEBT:

Just last year, California was running a huge surplus and our economy was strong. But we now find ourselves living in an entirely different world. Our economy is faltering. Instead of a surplus, we now have a projected budget deficit of over \$14,000,000,000!

This will mean a cut in state services, a tax increase, or both. Either way, the people of California will come out losers. But things will be much worse if Proposition 40 passes, since this new bond will cost more than \$5,000,000,000 to repay, including compounded interest!

Sales taxes were just hiked in January. Californians are already obligated to repay \$42,000,000,000 for our other bonds. It now costs taxpayers \$2,582,901,000 per year just to make the payments on our bond debt, *money that could otherwise be spent on education, health care or public safety.*

In short, Californians simply cannot afford to take on more debt at this time. And even if we could, Proposition 40 does not even do what it claims. For example:

PROPOSITION 40 WON'T PROVIDE "CLEAN WATER" TO DRINK:

California's population is expected to grow by over five million people in the next decade. This will place an enormous strain on our water supply.

However, this bond will not provide a single drop of drinking water for California's growing population. It will not build a single water storage reservoir or water treatment facility.

On the other hand, Proposition 40 will give up to \$375,000,000 for private organizations to spend on their pet projects, and lets them use these funds for their own "administrative costs."

PROPOSITION 40 WON'T PROVIDE "SAFE NEIGHBORHOOD PARKS":

The vast majority of the money will not go for neighborhood parks. Besides, Californians made a huge investment in neighborhood parks just two years ago. In 2000, the voters approved Propositions 12 and 13, bonds for parks and clean water totaling over \$4,000,000,000. At that time, the state was projecting a huge budget surplus.

Now the backers of Proposition 40 want you to approve their new \$2,600,000,000 water and parks bond. But what did they do with all the money we gave them two years ago? Taxpayers shouldn't have to pay for the same thing twice.

CALIFORNIANS MUST FOCUS ON OUR PRIORITIES:

In these uncertain times, approving Proposition 40 would be like taking out a loan to buy new patio furniture when you can't afford to pay your mortgage or rent. After the terrorist attacks of September 11, 2001, California has higher priorities, including law enforcement and disease control. Now is not the time for lower priority spending. We simply don't have the money.

Proposition 40 is bad for families, bad for taxpayers, and bad for California. Just Vote NO.

SENATOR RAY HAYNES, Chair

California State Senate Constitutional Amendments Committee
ASSEMBLYMAN DICK DICKERSON, Vice-Chair

California State Assembly Committee on Water, Parks and Wildlife
JON COUPAL, President

Howard Jarvis Taxpayers Association

40

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 40

THE OPPONENTS ARE WRONG ON THE FACTS. *Clean air, clean water and safe neighborhood parks are essential investments to protect our health, economy and quality of life.*

PROPOSITION 40 WILL PROTECT CLEAN AIR AND WATER: Proposition 40 protects our drinking water and the health of our families by keeping toxic waste out of our water supplies. It protects our air by replacing the most polluting diesel trucks and buses. *That's why Proposition 40 is supported by pollution control officers, health and community groups.*

PROPOSITION 40 WILL KEEP OUR BEACHES AND COASTAL WATERS CLEAN: Proposition 40 will protect our beaches and coastal waters from toxic pollution and urban runoff, making them safe for our families. *That's why Proposition 40 is supported by the League for Coastal Protection.*

PROPOSITION 40 WILL MAKE NEIGHBORHOOD PARKS SAFER: Proposition 40 will improve and expand neighborhood parks and provide youth with alternatives to gangs, drugs and violence. *That's why Proposition 40 is supported by the California Organization of Police and Sheriffs, and Latino Issues Forum.*

PROPOSITION 40 INCLUDES STRICT FINANCIAL SAFEGUARDS: Annual audits and public hearings ensure that funds are spent as promised. *Proposition 40 does not raise taxes—existing state revenues will be used.*

YES ON 40 IS CRITICALLY NEEDED TODAY. Proposition 40 will build safer, stronger communities, while protecting our health, economy and quality of life. *That's why Proposition 40 is supported by business groups like the California Council for Environmental and Economic Balance and the Silicon Valley Manufacturing Group.*

VOTE YES ON 40.

TOM PORTER, California State Director
AARP

RUSSELL J. "RUSTY" HAMMER, President
Los Angeles Area Chamber of Commerce

MONTY HOLDEN, Executive Director
California Organization of Police and Sheriffs

**VOTING MODERNIZATION BOND ACT OF 2002.
(SHELLEY-HERTZBERG ACT).**



OFFICIAL TITLE AND SUMMARY

Prepared by the Attorney General

41

**VOTING MODERNIZATION BOND ACT OF 2002.
(SHELLEY-HERTZBERG ACT).**

- This act is to ensure that every person's vote is accurately counted.
- Authorizes the issuance of state bonds allowing counties to purchase modern voting equipment and replace outdated punch card (chad) systems.
- Provides for bonds in the amount of two hundred million dollars (\$200,000,000).
- Appropriates money from the state General Fund to pay off bonds.

**SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT
FISCAL IMPACT:**

- State costs of about \$255 million over ten years to pay off both the principal (\$200 million) and interest (\$55 million) costs of the bonds. Payments of about \$26 million per year.
- One-time county costs of about \$67 million statewide to match state funds.
- Additional annual county operating costs for new voting systems in the several tens of millions of dollars statewide.

FINAL VOTES CAST BY THE LEGISLATURE ON AB 56 (PROPOSITION 41)

Assembly:	Ayes 71	Noes 7
Senate:	Ayes 29	Noes 8

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Under current law, counties may purchase and use any of three voting systems that have been certified by the Secretary of State for use in California elections. These voting systems are the punch card, optical scan, and direct record electronic (touch screen) systems.

Punch card systems use prescored computer punch cards upon which the voter indicates his or her vote choices by punching out the prescored holes. Optical scan machines require a voter to mark his or her selection on the ballot with a pencil or other approved marking device. Touch screen systems require a voter to select his or her options on a computer screen.

PROPOSAL

This measure allows the state to sell \$200 million in general obligation bonds for updated voting systems. The money raised from the bond sales would assist any county in the purchase of new voting equipment that is certified by the Secretary of State, with the exception of prescored punch card voting systems which are ineligible for funding.

General obligation bonds are backed by the state, meaning that the state is required to pay the principal and interest costs on these bonds. General Fund revenues would be used to pay these costs. These revenues come primarily from the state personal and corporate income taxes, and sales tax.

A new five-member Voting Modernization Board (Board) created by the measure, would consider applications and award the bond monies to counties for the purchase of new voting equipment that meet the

required specifications. The measure specifies that the Board shall consist of two members appointed by the Secretary of State and three members appointed by the Governor.

In order to receive bond monies, a county must contribute one dollar of county funds for every three dollars of bond monies.

FISCAL EFFECT

State Bond Costs. For these bonds, the state would make principal and interest payments from the state's General Fund over a period of about ten years. If the bonds are sold at an interest rate of 5 percent (the current rate for this type of bond), the cost would be about \$255 million to pay off both the principal (\$200 million) and the interest (\$55 million). The average payment would be about \$26 million per year.

Cost to Counties. The measure would result in additional costs to counties that receive bond funds. First, the counties would incur one-time matching fund costs of about \$67 million statewide. Second, counties would also incur additional ongoing costs to operate, maintain, and store the new voting equipment, and to train staff and voters on how to use the new machines. The magnitude of these additional costs will vary among counties depending on the number of voters and the difference in operating costs between a county's current voting system and the new voting system. The additional annual operating costs could be in the several tens of millions of dollars on a statewide basis.

ARGUMENT IN FAVOR OF PROPOSITION 41

If you are reading this, you are a person who takes your right and responsibility to vote seriously.

California Common Cause, the California Public Interest Research Group, and the California Secretary of State join us in urging you to vote “Yes” on Proposition 41—the Voting Modernization Bond Act.

The Secretary of State’s official analysis says: “Innovations in voting technology provide significant benefits—including ease of use, accessibility, accelerated reporting of results, meeting the needs for multiple ballots and multiple language ballots, improvements in security, and reduced costs.”

In its editorial, one major newspaper outlined the issues clearly: “California now elects its leaders through a hodge-podge of vote-counting systems (including) punch cards that feature the Florida-famous chad.

“It’s time to bring this wide range of systems up to date. The punch-card system produces errors that can disqualify an entire ballot. New methods greatly speed up vote counting and guard against fraud.

“Citizens need to know that their votes count, and in a disputed race, the results can be reliably checked.

“[Proposition 41], by Assemblyman Kevin Shelley, a San Francisco Democrat, calls for a \$200 million bond...to buy new vote tabulating machinery.” Secretary of State Bill Jones, a Republican who is the state’s chief elections officer, called for this bond last November. This bipartisan support indicates it’s time to update the way California votes.

The Secretary of State has decertified punch card voting systems because they are obsolete, but counties need funding for new equipment. Here are some facts for you to consider:

1) 11.4 million of California’s 15.7 million registered voters cast ballots on punch-card systems.

2) The “hanging chad” phenomenon can occur on a system used by 6.5 million voters.

3) Two-thirds of California’s voters are using decades old systems and these aging voting machines need to be replaced as soon as possible.

In the last five months our nation has fought against terrorism. President Bush named the effort “Enduring Freedom.”

There is no freedom greater than the right to choose our own government. Protecting that freedom requires investing in the infrastructure of public safety and national security.

It is no less important to invest in the very infrastructure of democracy. We urge you to vote “Yes” on the Shelley-Hertzberg Voting Modernization Bond Act.

KEVIN SHELLEY

Assembly Majority Leader

BARBARA INATSUGU, *President*

League of Women Voters of California

BILL JONES

Secretary of State

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 41

NEW VOTING MACHINES SHOULD BE PURCHASED WITH THE BILLIONS OF DOLLARS CALIFORNIANS PAY IN INCOME TAX, SALES TAX, AND OTHER TAXES...NOT WITH NEW BONDS.

Last year, politicians collected \$8 billion more from Californians than they expected...and they spent it all, including high ongoing costs for the Governor’s secretly negotiated energy contracts.

Not only is bonding expensive, but by the time we pay off the bonds’ principal and interest, these voting machines will be outdated. Bonds are typically approved for schools, roads, and parks, NOT equipment like voting machines.

The Governor and the Legislature must PRIORITIZE their spending. We need strong schools, police, fire, and National Guard protection, and sufficient money for emergencies like earthquakes and other disasters. Politicians cannot continue to act like kids in a toy store

who insist they go home with the latest toy simply because they want it.

If the Governor and Legislature cut the pork from their spending, they could buy the latest voting machines with the tax money in the General Fund. Californians cannot pay more simply because elected officials refuse to make tough spending decisions.

As our nation and our state face the fiscal uncertainties caused by the terrorists and struggling economy, it is irresponsible to saddle taxpayers with more debt.

VOTE “NO” ON PROP 41’S BONDS. The Governor and Legislature can and should buy voting machines with the money they already have.

HONORABLE DENNIS MOUNTJOY

Member of the Assembly, 59th District

JON COUPAL, *President*

Howard Jarvis Taxpayers Association

LEWIS K. UHLER, *President*

National Tax Limitation Committee

ARGUMENT AGAINST PROPOSITION 41

Californians owe billions and billions of dollars for already approved bonds. In fact, the current bond debt for a family of four is \$2987. If you add interest payments, each family's debt obligation soars.

At the beginning of last year, Californians sent government tax collectors \$8 billion more than they anticipated.

What happened to all that money? The politicians spent it. Sacramento politicians hate to say "no" to any requests made by special interest groups asking for tax dollars for one program or another.

Last year's \$8 billion of overcollected taxes should have been returned to taxpayers. Instead, politicians spent every last dime! Now the same politicians want to reach into your pockets for more money, asking you to approve another bond.

Last year, every dollar you earned from January 1 until April 30 went to government for one tax or another. You pay sales tax, income tax, and property tax. You pay taxes on your telephone, water, gas and electricity. You pay taxes on your gasoline at the pumps, fees for driver's licenses, smog checks, and vehicle registration. You pay fees for dog licenses, fishing licenses—it goes on and on. IF ELECTED OFFICIALS

SIMPLY SPENT OUR MONEY WISELY, THE TAXES AND GOVERNMENT FEES WE ALREADY PAY WOULD BE MORE THAN ENOUGH!

We can all agree that California would benefit by Proposition 41's updated voter election systems. It is always nice to have the latest technology. But politicians should buy these new voting machines with the tax dollars we already send them. CALIFORNIA FAMILIES SHOULD NOT BE EXPECTED TO PAY MORE BECAUSE SACRAMENTO POLITICIANS CARELESSLY SPENT LAST YEAR'S \$8 BILLION TAX SURPLUS.

It is foolish to sink further in debt simply because political leaders were unwilling to make tough decisions. Bonds are debts. Bonds accumulate interest. In the end, we are the ones who will ultimately pay the bill for new bonds!

VOTE "NO" ON PROPOSITION 41.

HONORABLE DENNIS MOUNTJOY

Member of the Assembly, 59th District

JON COUPAL, *President*

Howard Jarvis Taxpayers Association

LEWIS K. UHLER, *President*

National Tax Limitation Committee

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 41

This is no time for political scare tactics.

The right to vote and the right to have your vote count are fundamental values of our democracy. Proposition 41 goes a long way toward guaranteeing those rights.

Proposition 41 is a bipartisan plan to ensure that the voting problems that occurred in Florida do not happen in California. Republican Secretary of State Bill Jones, California's chief elections officer, proposed this bond to reform California's voting system. Democratic Assembly Majority Leader Kevin Shelley and Democratic Assembly Speaker Robert Hertzberg authored Proposition 41 to create a matching fund to modernize California's antiquated voting machines.

The League of Women Voters of California supports Proposition 41 because it will increase voters' confidence in our elections system, boost participation and avoid costly lawsuits arising from election irregularities.

Newspapers across California, including the *Los Angeles Times* and the *San Francisco Chronicle*, have endorsed Proposition 41 because it helps California's

county governments reform their voting systems with a \$200 million state matching fund.

Proposition 41 will help counties modernize elections equipment. This will improve voting security, create multiple language ballots and ultimately reduce the cost of running elections.

Independent, non-partisan groups such as *California Common Cause* and *the Congress of California Seniors* have endorsed Proposition 41. The people responsible for conducting fair elections, California's independent county elections officers, support Proposition 41.

Proposition 41 is common sense election reform to ensure that every vote counts. We urge you to vote "Yes" on Proposition 41.

KEVIN SHELLEY

Assembly Majority Leader

BILL JONES

Secretary of State

ROBERT HERTZBERG

Assembly Speaker

**TRANSPORTATION CONGESTION IMPROVEMENT ACT.
ALLOCATION OF EXISTING MOTOR VEHICLE FUEL SALES AND
USE TAX REVENUES FOR TRANSPORTATION PURPOSES ONLY.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.**



OFFICIAL TITLE AND SUMMARY

Prepared by the Attorney General

**TRANSPORTATION CONGESTION IMPROVEMENT ACT. ALLOCATION OF EXISTING MOTOR VEHICLE FUEL SALES AND USE TAX REVENUES FOR TRANSPORTATION PURPOSES ONLY.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

- Requires, effective 7/1/03, existing revenues from state sales and use taxes on sale of motor vehicle fuel be used for transportation purposes as provided by law until 6/30/08.
- Requires, effective 7/1/08, existing revenues resulting from state sales and use taxes on sale of motor vehicle fuel be used for public transportation; city and county street and road repairs and improvements; and state highway improvements.
- Requires two-thirds vote of the Legislature to suspend or modify percentage allocations of revenues.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Starting in 2008–09, about \$1.4 billion in gasoline sales tax revenues, increasing annually thereafter, would continue to be used for state and local transportation purposes.

FINAL VOTES CAST BY THE LEGISLATURE ON ACA 4 (PROPOSITION 42)

Assembly: Ayes 68 Noes 2

Senate: Ayes 36 Noes 1

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

California spends over \$15 billion annually to maintain, operate, and improve its highways, streets and roads, rail, and transit systems. About half of these revenues come from the local level in the form of local sales and property taxes and transit fares. The remainder comes from the state and federal levels, largely as motor fuel (gasoline) and diesel fuel taxes and truck weight fees.

Currently, the state levies two types of taxes on gasoline and diesel fuel:

- An excise tax of 18 cents on each gallon of gasoline and diesel fuel.
- A sales tax on the sales of gasoline and diesel fuel. The statewide rate is 5.75 percent through 2001. This rate will change to 6 percent on January 1, 2002.

Revenues from the state excise tax on gasoline and diesel fuel used on public roads total about \$3 billion a year. These revenues are dedicated to transportation purposes.

Revenues from most of the state sales tax on diesel fuel—4.75 percent out of the statewide rate—are also used for transportation. However, most of the revenues from the state sales tax on gasoline have historically been used for various general purposes, including education, health, social services, corrections, and local government fiscal relief. Only a small portion of the state gasoline sales tax revenues have been used for transportation.

In 2000, the Transportation Congestion Relief Program (TCRP) was enacted in California. Under the program, gasoline sales tax revenues will be used from 2003–04 through 2007–08 for specified transportation purposes including highways, streets and roads, and transit improvements. Thereafter, these revenues will be available for various general state purposes.

PROPOSAL

This measure places in the State Constitution those provisions of current law that require that, from 2003–04 through 2007–08, gasoline sales tax revenues be used for specified state and local transportation purposes. The revenues would be allocated for transportation purposes specified under the TCRP.

In addition, the measure requires that starting in 2008–09 the gasoline sales tax revenues continue to be used for state and local transportation purposes. The revenues would be allocated as follows:

- 20 percent to public transportation.
- 40 percent to transportation improvement projects funded in the State Transportation Improvement Program, a five-year transportation capital investment program.
- 40 percent to local streets and roads improvements; with half of the amount (20 percent) allocated to counties and half to cities.

The measure authorizes the Legislature to modify this distribution of the revenues with a two-thirds vote. The measure also provides that the use of these revenues for transportation purposes can be suspended under specified conditions.

FISCAL EFFECT

The measure places in the State Constitution those provisions of current law that require the use of state gasoline sales tax revenues for state and local transportation purposes from 2003–04 through 2007–08. Consequently, for that period, the measure would have no additional fiscal impact.

Beginning in 2008–09, the measure requires that state gasoline sales tax revenues continue to be used for transportation purposes in the future. The amount that would be used is projected to be about \$1.4 billion in 2008–09, increasing annually thereafter, depending on increases in gasoline prices and consumption.

TRANSPORTATION CONGESTION IMPROVEMENT ACT. ALLOCATION OF EXISTING MOTOR VEHICLE FUEL SALES AND USE TAX REVENUES FOR TRANSPORTATION PURPOSES ONLY. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

ARGUMENT IN FAVOR OF PROPOSITION 42

Proposition 42 is based on the principle that the gasoline sales tax you pay when filling up your tank ought to be used to improve our transportation system.

That's exactly what Prop. 42 does. It requires the gasoline sales tax we're *already* paying be spent IMPROVING OUR HIGHWAYS, LOCAL STREETS and MASS TRANSIT—WITHOUT INCREASING OR IMPOSING ANY NEW TAXES.

Years of neglect have left California with the NATION'S THIRD MOST DETERIORATED ROADS. California's urban areas top national rankings for TRAFFIC GRIDLOCK. SAFETY has become an overriding concern. Federal Highway Administration data show 6,000 CALIFORNIA BRIDGES and OVERPASSES are STRUCTURALLY DEFICIENT or no longer meet highway safety or design standards.

We need sound planning and Prop. 42's STABLE, ONGOING FUNDING SOURCE to IMPROVE ROAD SAFETY, REDUCE CONGESTION and better plan for future growth.

PROP. 42 GETS CALIFORNIA MOVING AGAIN by guaranteeing funds to help:

- IMPROVE the SAFETY of our streets, highways, bridges and overpasses.
- Speed up delivery of planned TRAFFIC RELIEF PROJECTS AND REPAIRS on highways and interchanges throughout California, including Interstate Routes: 5, 10, 15, 880, 215, 405, 80, 605, 680 and 805; and State Routes 101, 24, 50, 60, 52, 55, 56, 58, 91, 180, 84 and 99.
- Improve LOCAL BUS SERVICES; LIGHT RAIL SYSTEMS such as VTA in San Jose, Sacramento, MUNI, Green and Blue lines in Los Angeles, and the San Diego trolley; and COMMUTER SYSTEMS such as BART, Caltrain, Capitol Corridor, Southern California's MetroLink, ACE, and the Coasters in San Diego; and special local transit services for the elderly and disabled.
- Enable every city and county to FIX POTHOLES and dangerous intersections, and IMPROVE LOCAL ROADS.

PROP. 42 CREATES JOBS AND BOOSTS THE ECONOMY
Speeding up transportation project delivery has the added benefit

of creating thousands of new construction, engineering and other jobs when we need them the most. And U.S. Department of Transportation figures show every dollar spent on highway improvements generates nearly six times that amount in economic benefits.

BUSINESS ORGANIZATIONS AND LABOR UNIONS SUPPORT 42 because an investment in our transportation system is an investment in our economy and putting Californians back to work.

TAXPAYER GROUPS SUPPORT 42 because using *existing* tax revenues from the gas pump is a responsible way to fund transportation improvements *without* imposing higher taxes. And AN ANNUAL AUDIT WILL BE REQUIRED OF ALL PROP. 42 FUNDS to help ensure those projects get delivered on time and on budget.

LAW ENFORCEMENT, PUBLIC SAFETY OFFICIALS and SEISMIC SAFETY ENGINEERS SUPPORT 42 because it will reduce dangerous traffic and road conditions, accelerate rescue times and save lives.

PARENTS SUPPORT 42 because, as Assemblymember Barbara Matthews points out, it provides needed funds to *improve street safety conditions around schools to protect children*.

AUTO CLUBS, MOTORISTS AND MASS TRANSIT RIDERS SUPPORT 42 because it helps speed up the delivery of thousands of overdue traffic relief, highway safety and mass transit projects.

Authored by Assembly Transportation Chair John Dutra, Prop. 42 will help MAKE OUR ROADS SAFER and REDUCE CONGESTION WITHOUT HIGHER TAXES.

VOTE YES on 42.

COMMISSIONER DWIGHT HELMICK

California Highway Patrol

LEO SOONG, *Chair of the Board*

California State Automobile Association—AAA

LIEUTENANT ED GRAY, *President*

California Organization of Police and Sheriffs (COPS)

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 42

As we are voting, California is in the midst of an economic downturn. The Governor and Legislature are struggling with difficult decisions: either cut deeply into essential government programs like public health and education or find ways to increase revenues.

That's why Prop 42 is ill conceived—pitting vital programs against each other—and badly timed.

Prop 42 locks into the Constitution in 2002, spending priorities for 2008. And, it puts transportation funding ahead of priorities for education, health and safety concerns.

Vote No on Prop 42.

We already pay a gasoline tax. Together with other dedicated taxes, it provides \$6.5 billion annually for transportation. Now Prop 42 proposes dedicating to transportation another \$1.2 billion in general sales tax revenues currently being used for other vital services.

As California's revenues shrink, this is the wrong time to lock the Constitution into new restrictions.

We cannot spend the same dollar twice. Prop 42 will force \$1.2 billion in *cuts* in vital education, health care, and public safety services in order to pay for \$1.2 billion in *increased spending* on transportation.

That just doesn't make sense.

We should not be voting in 2002 on something that will not take effect until 2008.

Think about it. Six years ago Bill Clinton had just been re-elected, the dot.com phenomenon was just taking off, the economy was growing and so were state government revenues.

Six years later we are living in a very different world.

Vote No on Prop 42.

LENNY GOLDBERG, *Director*

California Tax Reform Association

VIOLA GONZALES, *Executive Director*

Latino Issues Forum

JEFF SEDIVIC, *President*

California State Firefighters' Association

ARGUMENT AGAINST PROPOSITION 42

PROP 42 HAS US VOTING IN 2002 ON SOMETHING THAT WILL NOT TAKE EFFECT UNTIL 2008.

Do you know what California's spending priorities should be in the year 2008 or beyond?

If you don't, then you should VOTE *No on Prop 42*.

If Prop 42 passes and goes into effect in 2008, it will force \$1.2 billion in cuts in vital education, health care and public safety services. Are you sure we should be locking ourselves into that kind of spending priority today?

VOTE NO ON PROP 42.

Since Sept 11 of last year, the requirements on government have changed dramatically. Government has greater demands to protect our public safety and public health as well as to protect and increase our investment in our public schools and colleges.

And it needs to be flexible in order to do so.

PROP 42'S SPENDING PRIORITIES SHOULD NOT BE LOCKED INTO THE CONSTITUTION.

If Prop 42 were in effect today, the state would be forced to cut \$1,200,000,000 in services such as education and health care in order to pay for \$1,200,000,000 in increased spending on transportation.

Are these the right priorities in 2002? We don't think so. Will they be the right priorities in 2008? Who knows?

Prop 42 also locks into the Constitution a specific formula for how this new spending pie would be divided up among transportation interests. Even if the world changes, or there are new technologies, or there are new public safety requirements, *this formula would stay in the Constitution forever.*

That's a bureaucrat's paradise: lots of taxpayer money to spend, no accountability, and no competition with other priorities.

Read Prop 42. It locks into the Constitution billions of new spending without the bureaucrats who will be responsible for spending it being held accountable by taxpayers.

PROP 42 IS UNNECESSARY.

Education, health care and public safety are real needs. So is spending on transportation. That's why between the gas tax, vehicle fees, and state-dedicated sales taxes, *California already guarantees about \$6.5 billion in spending on highways and transit each year*—not including billions in locally-enacted taxes spent for transportation at the direction of the voters. And voters have been willing to tax themselves for transportation—when the funds are used in an accountable manner.

A measure just like Proposition 42 was overwhelmingly voted down by the people over 10 years ago, precisely because it would have caused cuts in other programs—like public safety, education and health care. And because it provided no accountability for how the money is spent.

The world has changed, and it will change again. No one has a crystal ball. Who can tell us today what our priorities should be in 2008?

What we do know today is that forcing cuts in education, health care and other vital services in order to increase spending on transportation is wrong.

Protect our vital services. Protect our ability to set the right priorities in the future.

VOTE NO ON PROP. 42.

WAYNE JOHNSON, *President*

California Teachers Association

HOWARD OWENS, *President*

Congress of CA Seniors Education and Resource Foundation

WILLIAM D. POWERS, *President*

Health Access of California

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 42

With all due respect, opponent claims are downright false. Please read Prop. 42 for yourself.

PROP. 42 TAKES EFFECT NEXT YEAR

It doesn't wait until 2008 (as opponents claim). It's all there in black and white: 42 guarantees the state gasoline sales tax (we already pay at the pump) goes right to work improving mass transit, highways and local roads.

PROP. 42 DOES NOT FORCE CUTS IN EDUCATION OR HEALTH CARE

That's a scare tactic. 42 is NOT a money grab—the *entire annual gasoline sales tax is only about 1% of the total state budget. Prop. 42 simply requires transportation taxes be spent on transportation needs.*

TAXPAYERS SUPPORT 42 BECAUSE IT'S NECESSARY AND RESPONSIBLE

Californians know firsthand that improvements are needed to relieve traffic and increase safety. Roads, dangerous intersections and 6000 bridges/overpasses await repair. *42 guarantees every city and county their fair share of this funding—WITHOUT RAISING TAXES. An annual audit helps ensure accountability to taxpayers.*

PROP. 42 IS FLEXIBLE ENOUGH TO ADDRESS EMERGENCIES

Who knows better about post September 11 needs than police, fire and public safety officials—the very people urging support for 42. It was responsibly written to allow lawmakers flexibility in a fiscal emergency to use these funds for other priorities.

THE CALIFORNIA FIRE CHIEFS ASSOCIATION SAYS: “Prop. 42 will mean safer roads and highways.”

Prop. 42 helps ensure transportation taxes we already pay are spent properly, and accountably, to IMPROVE ROAD SAFETY and REDUCE TRAFFIC—WITHOUT RAISING TAXES.

YES on 42!

DALLAS JONES, *Director*

California State Office of Emergency Services

MARIAN BERGESON, *Former Member*

California State Board of Education

LARRY McCARTHY, *President*

California Taxpayers' Association

43

**RIGHT TO HAVE VOTE COUNTED.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.**



OFFICIAL TITLE AND SUMMARY

Prepared by the Attorney General

**RIGHT TO HAVE VOTE COUNTED.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

- This measure amends the California Constitution to declare that a voter who casts a vote in an election in accord with the laws of this state shall have that vote counted.

**SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT
FISCAL IMPACT:**

- No additional cost to state or local governments.

43

FINAL VOTES CAST BY THE LEGISLATURE ON ACA 9 (PROPOSITION 43)

Assembly:	Ayes 79	Noes 0
Senate:	Ayes 39	Noes 0

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

The State Constitution establishes a system of voter registration and elections for United States citizens at least 18 years of age who reside in the state. However, it does not explicitly guarantee the right of the voter to have his/her vote counted. The procedures, requirements, and deadlines for counting votes are set forth in the California Elections Code.

PROPOSAL

This measure amends the Constitution to explicitly state that every vote cast in accordance with state law shall be counted, thus affirming in the Constitution the right of the voter to have his/her vote counted.

In addition, Chapter 919, Statutes of 2001 (Assembly Bill 733, Longville) would explicitly place in state law the existing authority of county elections officials to petition the Superior Court for an extension of any post-election deadline to permit the tabulation or recounting of ballots and the authority of the court to grant such a petition. However, the operation of Chapter 919 depends on voter approval of Proposition 43.

FISCAL EFFECT

This measure would not result in additional costs to the state or local governments.

ARGUMENT IN FAVOR OF PROPOSITION 43

WHY DO WE NEED PROPOSITION 43?

In the 2000 presidential election, confusion over which ballots should or should not count led to a substantial delay in determining which candidate won in Florida. Many votes were not counted due to problems with equipment, questions about whether votes were validly cast, and uncertainty about which candidate some voters had selected.

In an effort to ensure that all votes cast in accordance with Florida law were counted, local election officials began hand recounts of ballots. Those recounts demonstrated that vote tallying machines were less than perfect, and that votes had been missed in the original tally.

Unfortunately, election officials were unable to complete hand counts before a deadline for certifying the state’s vote. This deadline fell more than a month before the President was to take office, leaving adequate time to complete hand recounts. Nevertheless, citing this deadline, the United States Supreme Court and the Florida Secretary of State effectively stopped hand counts and certified election results using incomplete vote totals. As a result, *thousands of voters did not have their votes counted*, even though they cast their votes in accordance with Florida law.

WHAT DOES PROPOSITION 43 DO?

Proposition 43 adds a section to the California Constitution that reads “A voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted.”

By voting YES, you ensure that your vote will not be discarded because someone thought there wasn’t enough time to count your vote. *If you follow all the applicable election laws when you vote, you should have the right to have your vote counted.*

Proposition 43 is not a referendum on the 2000 presidential election. Instead it is an effort to declare, before an election controversy arises, the principles that should guide the counting of validly cast votes in an election. Proposition 43 does not change laws regarding recounting ballots or determining voter intent.

In addition, the approval of Proposition 43 will make effective a law that allows courts to extend post-election deadlines that prevent the proper counting of votes. This will help ensure that what happened in Florida doesn’t happen here.

IS PROPOSITION 43 NECESSARY?

The laws that govern the elections process in California attempt to ensure the integrity and smooth operation of our elections. But when these laws conflict with one another, there is no guarantee which law will prevail.

Proposition 43 expressly provides that you have a constitutional right to have your vote counted, regardless of problems that arise after you cast your vote.

The right to vote is meaningless if you can’t be sure that your vote will be counted. Elections shouldn’t be decided by courts or government officials—elections should be decided by the citizens who vote in them. Proposition 43 helps ensure that this is the case.

ASSEMBLYMEMBER JOHN LONGVILLE, *Chair
Assembly Committee on Elections, Reapportionment,
and Constitutional Amendments*
BARBARA B. INATSUGU, *President
League of Women Voters of California*
JAMES K. KNOX, *Executive Director
California Common Cause*

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 43

As we suggest in the PRIMARY argument against Proposition 43 on the next page, this measure sounds good—but *will do more harm than good*.

Among other things, Proposition 43 would create a state constitutional right to have every (validly cast) ballot counted even when, mathematically, the ballot could not possibly affect the outcome of an election! *Proposition 43 makes no sense.*

What we really need is some form of public financing of campaigns—at least for state offices such as Assembly and State Senate. It costs upwards of \$500,000 to run a contested campaign for Assembly—twice as much for State Senate.

Many qualified persons do not run for public office—and many serious issues are downplayed or not even discussed—because of the domination of money from special interest groups and giant corporations.

PRIVATE FINANCING OF EXPENSIVE POLITICAL CAMPAIGNS HAS PRACTICAL CONSEQUENCES FOR EVERYONE

IT COSTS YOU MONEY For example: Californians paid billions to Texas-based corporations because of a sudden shortage of electricity that could have been avoided.

IT AFFECTS YOUR HEALTH For example: MTBE remains in California gasoline even though we have known, for years, that it pollutes the air and leaks into the soil and groundwater and then reaches our tap water. Chemicals added to tap water end up in the bloodstream of each person who drinks or cooks with tap water. In that regard, voters might want to examine www.NoFluoride.com.

For more information, see our website: www.VoterInformationAlliance.org.

GARY B. WESLEY
Attorney at Law
MELVIN L. EMERICH
Attorney at Law

ARGUMENT AGAINST PROPOSITION 43

This proposed amendment to the California Constitution sounds good. It would add a section to provide that “(a) voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted.”

But what, if anything, would Proposition 43 really do? Maybe just promote ambitious litigation over the outcome of elections.

MISSING BALLOTS: In California, a voter may cast a vote by mailing in an absentee ballot or voting at a polling place. What if some ballots were lost, damaged or destroyed before being counted? Would that invalidate the election if the missing ballots could have changed the outcome? When a ballot is missing, how would it be determined whose ballot is missing and how it had been completed?

DEFECTIVE BALLOTS: Then, there is the problem of partially marked ballots—indentations and “hanging chad”—votes not counted by the vote-counting machine because the voter did not fully clear the chad. Before the Florida debacle, most of us had never even heard the word “chad” or given any thought to whether we had fully punched through a hole and cleared away the “chad” in making each ballot choice.

By demanding that every vote be counted, Proposition 43 could invite all kinds of litigation over whether all votes

have, indeed, been counted. The outcome of some elections could remain uncertain for long periods of time. The truth is that far more mistakes are surely made in casting ballots—than in securing and counting them.

Moreover, the main problem with elections is not that some votes are cast but not counted. *THE REAL PROBLEM IS THAT MOST CITIZENS DO NOT VOTE AT ALL, AND OUR CHOICE OF CANDIDATES IS TOO OFTEN A CHOICE BETWEEN TWO OR MORE UNQUALIFIED PERSONS.*

What we need is public financing of election campaigns—at least for all state elected offices. Otherwise, candidates will continue to be recruited by—and beholden to—the special interest groups and wealthy corporations that provide the campaign money.

GARY B. WESLEY, *Co-Chair*
Voter Information Alliance (VIA)
MELVIN L. EMERICH, *Co-Chair*
Voter Information Alliance (VIA)

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 43

Although opponents want you to think that Proposition 43 will promote post-election lawsuits, *Proposition 43 helps ensure the integrity of our elections.*

Proposition 43 expressly provides that you have a constitutional right to have your vote counted. It is only when we know that all votes have been properly counted that we can be confident of the legitimacy of election results. By ensuring that the counting of votes is afforded the highest level of protection, Proposition 43 will help prevent the kind of post-election uncertainty that emerged in Florida after the 2000 election.

Opponents claim that Proposition 43 may promote additional post-election litigation. In fact, Proposition 43 works within the framework of existing laws and guidelines to ensure that ballots are counted properly, without providing a basis for additional lawsuits.

We should demand that every legally cast vote is counted—only then can we be sure that the people’s voice is heard.

Proposition 43 presents a solution that will help ensure the integrity and legitimacy of California elections without encouraging frivolous lawsuits. That’s why Proposition 43 has earned strong bipartisan support and the endorsement of California Common Cause and the League of Women Voters of California.

VOTE YES ON PROPOSITION 43!

ASSEMBLYMEMBER JOHN LONGVILLE, *Chair*
Assembly Committee on Elections,
Reapportionment, and Constitutional Amendments
BARBARA B. INATSUGU, *President*
League of Women Voters of California
JAMES K. KNOX, *Executive Director*
California Common Cause

**CHIROPRACTORS. UNPROFESSIONAL CONDUCT.
LEGISLATIVE INITIATIVE AMENDMENT.**



OFFICIAL TITLE AND SUMMARY

Prepared by the Attorney General

**CHIROPRACTORS. UNPROFESSIONAL CONDUCT.
LEGISLATIVE INITIATIVE AMENDMENT.**

- Amends Chiropractic Act to provide that, unless otherwise authorized, the employment of runners, cappers, steerers, or other persons to procure patients constitutes unprofessional conduct.
- Amends Chiropractic Act to require revocation of a chiropractor's license to practice for ten years upon the second conviction, or multiple convictions, of specified insurance fraud offenses.
- Amends Chiropractic Act to require the State Board of Chiropractic Examiners to investigate any licensee who is the subject of specified charges unless the district attorney objects to the investigation.

**SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT
FISCAL IMPACT:**

- Negligible additional state costs to implement the measure's provisions.
- Potential state savings, of an unknown amount, in lower workers' compensation and Medi-Cal costs.

FINAL VOTES CAST BY THE LEGISLATURE ON SB 1988 (PROPOSITION 44)

Assembly: Ayes 63 Noes 13

Senate: Ayes 40 Noes 0

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

The Chiropractic Act is a law that was adopted by the voters. Changes to the act require voter approval. Under the act, the Board of Chiropractic Examiners licenses and regulates chiropractors who practice in California. The board may impose discipline including license revocation for various acts of misconduct. The act makes it a misdemeanor for a person to violate its provisions. Conviction of a violation is subject to a fine or imprisonment in county jail, or both a fine and imprisonment.

Currently, there are about 15,000 licensed chiropractors in the state.

PROPOSAL

This measure requires the Board of Chiropractic Examiners to revoke for ten years the license of a chiropractor who is convicted for a second time, or is convicted of multiple counts in a single case, of various specified offenses, including insurance fraud. After the ten-year period, the chiropractor may apply to the board to reinstate his or her license. Currently, the board has discretion over which punishment to assess for the offenses covered by this measure. This punishment may or may not result in license revocation.

The measure further requires the board to investigate any licensed chiropractor who has been criminally charged with committing insurance fraud, if the district attorney does not object to the investigation. The measure also includes as “unprofessional conduct” the hiring of “runners” or other persons by chiropractors to procure patients, except as this practice is allowed by law.

This measure’s provisions currently apply to doctors.

FISCAL EFFECT

The Board of Chiropractic Examiners currently investigates all cases in which a criminal charge has been filed alleging insurance fraud by a licensed chiropractor, where the district attorney does not object. As a result, any additional costs to implement this measure would be negligible.

To the extent that the license revocation and investigation provisions of this measure act as a deterrent and reduce insurance fraud committed by chiropractors, there could be savings, of an unknown amount, to the state in lower workers’ compensation and Medi-Cal costs.

ARGUMENT IN FAVOR OF PROPOSITION 44

You should vote “yes” on Proposition 44 because insurance fraud is a crime against *all* of us. This proposition requires that the license of a chiropractor be suspended for 10 years if the chiropractor is convicted a second time of insurance fraud or related activities or if the chiropractor is convicted a first time of multiple counts of insurance fraud or related activities. It also requires the Chiropractic Board to investigate chiropractors alleged to have committed insurance fraud, if the district attorney does not object to the investigation. A district attorney would not object unless a Board investigation interfered with a criminal investigation.

This initiative was placed on the ballot through a unanimous vote of the State Senate and an overwhelming, bipartisan vote of 63–13 in the State Assembly. Its provisions were the outgrowth of testimony from numerous witnesses, including one hooded witness, who appeared before the State Senate Insurance Committee in November 1999, and subsequent hearings in the Legislature. Testimony centered on the way in which insurance fraud is committed, how it can finance other types of criminal activity, and on the costs of fraud to all of us. The reform package created new penalties for chiropractors, doctors and attorneys. The provisions related to doctors and attorneys have already become law. However, amendments to the Chiropractic Act are required to be approved by the voters before becoming law, and this is why the Legislature placed this proposition on the ballot.

Estimates of the annual cost of insurance fraud vary, but when fraud in workers’ compensation, Medi-Cal, auto, home, health and life insurance are considered, the costs to us all could easily exceed hundreds of millions, and perhaps several billions of dollars annually. High auto insurance costs, higher taxes, and unaffordable health insurance or workers’ compensation insurance are just a few of many reasons that insurance fraud is bad for us all.

Obviously, the costs of fraud noted above are not, by any means, solely due to chiropractors. In fact, most chiropractors operate lawfully and provide valuable care to their patients. Some do not. If you are concerned about the quality of chiropractic care and the cost of all types of insurance that covers chiropractic care, vote “yes” on Proposition 44. It is a small part of the larger reform measure that already changed the penalties for insurance fraud committed by other professionals. Voting “yes” on this proposition means voting “no” on chiropractic insurance fraud, and voting “yes” for all of us who need affordable insurance and quality chiropractic care.

JACKIE SPEIER

State Senator

GORDON SPENCER, *President*

California District Attorneys Association

No Rebuttal to the Argument in Favor of Proposition 44 was filed.

ARGUMENT AGAINST PROPOSITION 44

Insurance fraud is a growing crime that raises our insurance premiums and causes insurance companies to be suspicious of legitimate claims. However, the punishment must fit the crime.

A chiropractor who defrauds insurance companies should have to pay restitution and punitive damages. Proposition 44 wants to take a chiropractor's license away for 10 years. We disagree.

Financial dishonesty has nothing to do with medical skill. The only good reason to stop someone from being a chiropractor is if patients have been harmed by incompetent treatment. A person has the right to earn a living, and a trained professional can earn a very good living—enough to pay back any of his fraud victims.

We also disagree that the use of “runners” and “cappers” (ambulance chasers) to obtain patients should be considered unprofessional conduct—though it is distasteful. Not that long ago, doctors and lawyers weren't even permitted to

advertise their services. We believe that any business or profession has the right to solicit business without force or fraud. This provides more choices to consumers.

California's state government licenses far too many professions—from barbers to funeral directors to guide dog trainers. It should be up to fully-informed consumers to decide whose goods and services to use—without interference from state bureaucrats.

Let's not add more burdens on a chiropractor's right to earn a living or peoples' right to choose their own chiropractor. Vote NO on Proposition 44.

TED BROWN

Insurance Claims Investigator

DALE F. OGDEN

Insurance Consultant/Actuary

ED KUWATCH, *Chairman*

Libertarian Party of Mendocino County

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 44

Opponents are flat wrong. Proposition 44 is simple. Insurance fraud is costing all of us a lot of money in increased premiums. When professionals defraud, they should be held accountable. The Legislature has imposed stiff penalties on doctors and lawyers who are convicted twice of fraud. Chiropractors should be treated no differently.

You may ask why if the Legislature has acted and the Governor signed a law on this subject do the voters have to specifically confirm similar enforcement procedures on chiropractors? The answer is that the chiropractors succeeded in passing an initiative on the ballot eighty years ago to create their “practice act.” The act requires that any amendments to this act must be subsequently passed by the voters.

California licenses professionals because consumers demand protection. A chiropractic patient deserves honest, competent care, and Proposition 44 creates a level playing field where honest, competent chiropractors can practice free from those who damage patients and the profession.

Proposition 44 protects *you*. Please join the California District Attorneys Association, and those who want affordable insurance and honest, competent chiropractic care. Vote “yes” on Proposition 44.

JACKIE SPEIER

State Senator

GORDON SPENCER, *President*

California District Attorneys Association

**LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS.
INITIATIVE CONSTITUTIONAL AMENDMENT.**



OFFICIAL TITLE AND SUMMARY

Prepared by the Attorney General

**LEGISLATIVE TERM LIMITS. LOCAL VOTER PETITIONS.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

- Allows registered voters in legislative districts to submit petition signatures to permit their incumbent legislator to run for re-election and to serve for a maximum of four years beyond the presently allowed two four-year terms for State Senators and three two-year terms for members of the Assembly, if a majority of voters approves.
- Option can be exercised only once per legislator.
- Legislator can run under option only in district where legislator currently serves.
- Petitions must be filed before the end of legislator's final term.
- Provides for signature verification.

**SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT
FISCAL IMPACT:**

- Counties would incur unknown costs to verify petition signatures, potentially up to several hundreds of thousands of dollars every other year on a statewide basis.
- The state would incur little or no costs to track the eligibility of re-election candidates.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

In 1990, California voters approved Proposition 140, a state constitutional amendment that limited the number of terms that an elected state official can serve in the same office. As regards the Legislature, Proposition 140 limited Members of the Assembly to three two-year terms and Members of the Senate to two four-year terms. A legislator who has served his/her maximum number of terms in an office is considered “termed-out” and is ineligible for reelection.

PROPOSAL

This measure allows local voters to petition the Secretary of State to permit their incumbent Senator or Assembly Member who is termed-out to run for reelection to that same office at the next election or elections (in the case of the Assembly), thereby allowing the legislator to serve up to an additional four

years in office. The petition would have to be signed by registered voters residing in the legislator’s district, equal in number to 20 percent of the ballots cast for that office in the last general election. The voter petition can be used only one time to place the name of the incumbent Senator or Assembly Member on the ballot for reelection. If local voters petition in such a manner, a Senator could serve a maximum of three four-year terms and an Assembly Member a maximum of five two-year terms.

FISCAL EFFECT

Counties would incur unknown costs for verifying the signatures on the petitions. The magnitude of these costs is unknown, but potentially up to several hundreds of thousands of dollars every other year on a statewide basis. The state would incur little or no costs for tracking the eligibility of candidates for reelection.

ARGUMENT IN FAVOR OF PROPOSITION 45

Yes on 45! Protect term limits and Restore Decision Making to Local Voters.

Proposition 45 (The Term Limit Local Option Initiative) empowers the people to choose their own representative—TO THROW OUT THE SCOUNDRELS or return—for a maximum of 4 years—a single lawmaker whose ability and effectiveness benefits the people of that district.

Term limits have brought a breath of fresh air to California government. Before the introduction of term limits, entrenched incumbents, awash in campaign contributions from special interest lobbyists, and immune to the wrath of the people in their districts, clung to power—election after election. Term limits forced these career politicians out of public office.

But now, with California facing such enormous challenges, we need *Proposition 45* to empower the people with the option of keeping their own representative. Proposition 45 would allow a few especially valued state lawmakers to run for an additional 4 years in office *ONE TIME ONLY*. This may be accomplished *ONLY* if constituents in the lawmaker's district gather sufficient signatures to qualify the officeholder for the ballot. And then, *ONLY* if the majority of voters in that district vote to keep that individual.

Firefighters say "Yes on 45." Decisions made in Sacramento determine their ability to protect the public. Firefighters

need at least a few legislators with enough life and legislative experience to deal with the complex and dangerous world in which we now live.

Business leaders and Law Enforcement say "Yes on 45." As our economy struggles to recover from the aftermath of September 11th and the terrorist assault on America, small business and law enforcement will be impacted by the difficult and complicated decisions that must be made in Sacramento. We need experienced lawmakers who are prepared to handle these complex problems.

Keep term limits in place! *But allow the voters the option to return a few experienced lawmakers who have the ability to protect the public health and safety in these difficult times.*

Yes on Proposition 45—Protect Term Limits, Restore Decision-Making Power to the People.

DAN TERRY, *President*
California Professional Firefighters
HANK LACAYO, *President*
Congress of California Seniors
KAY MCVAY, *President*
California Nurses Association

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 45

Prop. 45 will destroy term limits in California, and allow career politicians and their powerful special interest allies to expand their stranglehold on power in Sacramento.

Vote NO on Prop. 45, and keep our state's term limits law in place.

Those in favor of Prop. 45 made an excellent statement in their ballot argument. They said:

"Before the introduction of term limits, entrenched incumbents, awash in campaign contributions from special interest lobbyists, and immune to the wrath of the people in their districts, clung to power—election after election."

This is correct.

The problem is that the very same career politicians, entrenched incumbents, and special interest lobbyists are financing Prop. 45 to the tune of millions of dollars.

They're trying to pass the biggest SCAM in California history, in order to kill term limits and expand power for themselves.

Look at who has given millions of dollars to Prop. 45.

Entrenched incumbent politicians in Sacramento are leading the charge, giving more than \$1 million. After that are tobacco companies, trial lawyers, and oil and energy companies.

These powerful special interests hate term limits. They want to kill term limits, so they can expand their cozy relationships with the Sacramento power structure.

Under Prop. 45, each and every politician in the legislature will be able to stay in office longer. That's no way to bring much needed change to Sacramento.

Vote NO on Prop. 45.

Don't let the career politicians and powerful special interests get away with this SCAM.

EDWARD J. "TED" COSTA, *CEO*
California Committee To Limit Terms
ANITA ANDERSON, *V.P.*
US Term Limits
MANUEL S. KLAUSNER

ARGUMENT AGAINST PROPOSITION 45

Proposition 45 is purposely designed to kill term limits. If passed, it will eliminate all reasonable limits on California politicians. And it will give free reign to the powerful special interests and lobbyists who already have too much influence in Sacramento.

In order to keep term limits alive in California, vote NO on Proposition 45.

Ten years ago, the people of California suffered under a state government that was totally out of control. Power-hungry career politicians had a stranglehold on our state legislature. The politicians rigged the system so that they never faced any real competition—many of them consistently ran with no opposition at all. The same politicians served for 20, 30, even 40 years in one office. The people’s voice was effectively shut out of the legislative process—and of the state treasury.

In response, California citizens voted for term limits on the state legislature. At the time, we knew that the only way to stop the career politicians was to require some rotation in office, some change in leadership.

We were right about the need for term limits then, and we’re right today. Since the passage of term limits, electoral competition in California has increased dramatically. New people with new ideas are finally seeking office and getting elected. But term limits are still new. They have not yet had enough time to fully remove the old guard from power in Sacramento.

And that’s why the career politicians and their special interest cronies are advancing Proposition 45. They will stop at nothing to preserve their own power. They spent many millions of dollars opposing term limits ten years ago, and

they are spending millions more pushing Proposition 45 today. All for the purpose of maintaining their own personal power and overriding the people’s vote in favor of term limits.

One look at Proposition 45’s list of financial supporters tells the story. Lobbyists, big oil companies, trial lawyers PACs, tobacco companies, energy industries, you name it. Just about everyone who has tens of millions of dollars in business interests in front of the politicians in Sacramento has contributed tens of thousands of dollars to this effort to kill term limits.

These powerful special interests are not looking for “good government.” They’re looking for government for sale to the highest bidder. For the special interests, term limits are very expensive. Term limits mean that the big special interests cannot develop cozy relationships with legislators who will do their bidding year after year for 20 and 30 years. Under term limits, people with new ideas, people who are not beholden to the political bosses will get into office.

Proposition 45 is nothing more than a scam. It suggests that it is only weakening term limits. In fact, it will destroy term limits by allowing lifelong politicians to escape the limits of current law.

Do not be fooled by this anti-term limits scam. Vote NO on Proposition 45.

RICHARD RIORDAN

Former Mayor of Los Angeles

LEWIS K. UHLER, *President*

National Tax Limitation Committee

EDNA GONZALEZ, *President*

“Stop the Politicians”

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 45

Proposition 45 will not end term limits. It will keep term limits in place while giving voters the option of extending the term of their own lawmaker—one time only for four years. *Proposition 45 gives back local control to the voters.*

Proposition 45 is a reasonable and fair reform that will improve government and increase local control over public officials. That’s why it is supported by respected political reform organizations like the *League of Women Voters of California* and the *California Tax Reform Association*.

These are uncertain times. Proposition 45 recognizes that sometimes there are times of crisis and challenge when voters should have the option of extending the term of responsive and capable leaders. Today, stable leadership and the ability to solve complex problems, like a faltering economy, are of great importance.

Big oil, tobacco or energy companies do not run our campaign. We are a broad-based coalition that includes the *California Professional Firefighters*, the *California Federation of Teachers*, and the *California Association of Highway Patrolmen*. We support Proposition 45 because there are times when we need experienced leadership and citizens should be able to pick whom they want to lead them through difficult times.

Vote yes on Proposition 45. Give back the decision-making power to the voters, where it belongs.

ROBERT P. BLANKENSHIP, *President*

California Police Chiefs Association

MARY BERGAN, *President*

California Federation of Teachers

BARBARA B. INATSUGU, *President*

League of Women Voters of California

This section of the ballot pamphlet provides an overview of the state's current bond debt. It also provides a discussion of the impact the bond measures on this ballot, if approved, would have on this debt level.

BACKGROUND

What Is Bond Financing? Bond financing is a type of long-term borrowing that the state uses to raise money for specific purposes. The state gets money by selling bonds to investors. The state repays this money plus interest.

The money raised from bonds primarily pays for the purchase of property and construction of facilities—such as parks, prisons, schools, and colleges. The state uses bond financing mainly because these facilities are used for many years and their large dollar costs are difficult to pay for all at once.

General Fund Bond Debt. Most of the bonds the state sells are *general obligation* bonds. The state's debt payments on about 85 percent of these bonds are made from the state General Fund. The money in the General Fund comes primarily from state personal and corporate income taxes and sales taxes. The remaining 15 percent in general obligation bonds (such as housing bonds) are self-supporting and, therefore, do not require General Fund support. All general obligation bonds must be approved by a majority of voters and are placed on the ballot by legislative action or by initiative.

The state also issues bonds known as *lease-payment* bonds. These bonds do not require voter approval. The state pays a higher interest rate and selling costs on these bonds than it does on general obligation bonds. The state has used these bonds to build higher education facilities, prisons, veterans' homes, and state offices. The General Fund is also used to make debt payments on these bonds.

What Are the Direct Costs of Bond Financing? The state's cost for using bonds depends primarily on the interest rate that is paid on the bonds and the number of years payments are made. Most general obligation bonds are paid off over a period of 20 to 30 years. Assuming an interest rate of 5 percent (the current rate for this type of bond), the cost of paying off bonds over 25 years is about \$1.65 for each

dollar borrowed—\$1 for the dollar borrowed and 65 cents for the interest. This cost, however, is spread over the entire period, so the cost after adjusting for inflation is less. Assuming a 3 percent future annual inflation rate, the cost of paying off the bonds in today's dollars would be about \$1.23 for each \$1 borrowed.

THE STATE'S CURRENT DEBT SITUATION

The Amount of State Debt. As of October 2001, the state had about \$26 billion of General Fund bond debt—\$20 billion of general obligation bonds and \$6 billion of lease-payment bonds. Also, the state has not yet sold about \$12 billion of authorized bonds because the projects to be funded by the bonds have not yet been undertaken.

Debt Payments. We estimate that payments on the state's General Fund bond debt will be around \$3.2 billion during the 2001–02 fiscal year. As currently authorized bonds are sold, bond debt payments will increase to \$3.7 billion in 2005–06 and decline thereafter.

The level of debt payments stated as a percentage of state General Fund revenues is referred to as the state's "debt ratio." This ratio stood at well under 3 percent at the start of the 1990s, and peaked at over 5 percent in the mid-1990s. It has since declined and currently stands at about 4.7 percent. Based on current authorizations, the ratio will continue to decline in future years. Approval of the bonds on this ballot would increase the projected debt service ratio slightly.

BOND PROPOSITIONS ON THIS BALLOT

There are two propositions on this ballot.

- Proposition 40—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act. This measure would authorize the state to sell \$2.6 billion in general obligation bonds for natural resources conservation, state and local park acquisition and improvement, and historical and cultural resources preservation purposes.
- Proposition 41—Voting Modernization Bond Act of 2002. This measure would allow the state to sell \$200 million in general obligation bonds for updated voting systems.



ABOUT INITIATIVES

WHAT IS THE INITIATIVE PROCESS?

The initiative process, often referred to as “direct democracy,” is a tool which citizens can use to directly propose change to California law instead of going through their legislative representatives in state government.

HOW TO QUALIFY AN INITIATIVE FOR THE BALLOT

The first step in the process is drafting the text of the proposed law (or measure). The proponent(s) or author(s) of the measure can write the text themselves, seek assistance from private counsel, or request assistance from the Office of the Legislative Counsel.

TITLE AND SUMMARY

Once the text has been drafted, the proponent(s) must submit a written request to the Attorney General, along with the text of the measure and \$200, for an official title and summary of the measure. The Attorney General prepares an official title and summary and, if necessary, requests a joint fiscal impact report from the Department of Finance and the Joint Legislative Budget Committee.

PETITION CIRCULATION

Once an official title and summary is issued by the Attorney General, an official filing date is established and a calendar of important filing deadlines is prepared for the proponent(s) by the Secretary of State. The proponent(s) have 150 days to circulate petitions for signatures to qualify the measure for the ballot.

Proponent(s) must collect signatures equal to 5% of the total number of votes cast for all candidates for Governor at the last gubernatorial election to qualify an initiative proposing to change California statutes. If an initiative proposes to amend the California Constitution, proponent(s) must collect signatures equal to 8% of the total number of votes cast for all candidates for Governor at the last gubernatorial election.

FILING AND CIRCULATION

Once the required number of signatures has been collected, the proponent(s) must file the petitions with the appropriate county elections official for signature verification. The initiative is considered qualified once the Secretary of State receives notification from the county elections officials certifying the petitions have been signed by the requisite number of registered voters.

PROPOSITION PLACED ON THE BALLOT FOR VOTER APPROVAL

Once an initiative has qualified, it is placed on the next statewide ballot. However, it must qualify at least 131 days before the next statewide election at which it will be placed before the voters. If approved by a simple majority vote, the initiative takes effect the day after the election unless another enactment date is specified in the text of the measure.

For more information regarding the initiative process, please visit the Secretary of State’s website at www.ss.ca.gov or call the Elections Division at 916-657-2166.





IMPORTANT NEW ELECTION LAW

WHO CAN I VOTE FOR?

If you are registered to vote with a political party, you may only vote at this primary election for the candidates running for office from the party with which you are registered. However, if you did not select a political party when you registered to vote, some of the political parties will allow you to vote for their candidates anyway. If you are not registered with a political party, you can vote a ballot of any political party that has notified the Secretary of State that it will permit “unaffiliated” voters to help nominate their candidates.

The political parties that are allowing voters who are not registered with a political party to request and vote their party’s ballot at the March 5, 2002, Primary Election are:

- American Independent Party
- California Democratic Party
- California Republican Party
- Natural Law Party of California

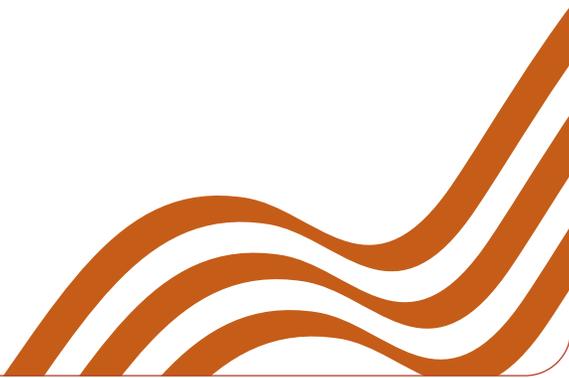
You may NOT request more than one party’s ballot. If you do not request a specific ballot, you will be given a nonpartisan ballot containing only the names of candidates for nonpartisan offices and the measures to be voted upon at the March 5, 2002, Primary Election.

If you are not registered with any political party, you can call the toll-free number or visit the website below for more information.

Call the Secretary of State’s toll-free number:

**1-866-DTS-VOTE
(1-866-387-8683)**

Website: www.ss.ca.gov



CANDIDATE STATEMENTS BY POLITICAL PARTY

REFORM PARTY



PAUL JERRY HANNOSH

Lieutenant Governor

10304 Tujunga Canyon Blvd.,
#202
Tujunga, CA 91042
661-313-6567
paulhannosh.cjb.net

I am a pro-life, pro-second amendment *conservative*. I am an educator/business owner and U.S. Army Veteran who is unafraid of being politically incorrect. I believe in putting *God, Family and the interests of Americans first*. I will defend California jobs and industry over foreign competitors. I will work to *stop illegal immigration!* To effectively combat terrorism, our borders must be protected by the National Guard to apprehend illegal aliens. The government has failed to protect our borders. We also must *end the liberal public education monopoly* by allowing parents a choice of any private school through tax credits.



VALLI SHARPE-GEISLER

Secretary of State

4718 Meridian Ave., #228
San Jose, CA 95118
408-997-9267 f/v
Valli2002@siliconv.com
www.siliconv.com

I am a moderate and believe in the separation of church and state. As your chief elections official I will: *Help Californians* make an informed vote by allowing ballot statements for all candidates including Congress, State Senate and Assembly. *Safeguard* against voter fraud and level the playing field with nomination process reforms. As ex-officio Trade Commission member, illuminate underlying causes of our yearly \$180 billion trade deficit. *Simplify access* to government information and with your help bring about modernization. *If you want reform vote reform*. I'm an educator, a technologist and past State Chair of the Reform Party.



The order of the candidates was determined by random alphabet drawing. Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency. Submission of statements was voluntary. Candidates who did not submit statements could otherwise be qualified to appear on the ballot.

DEMOCRATIC PARTY



ANSELMO A. CHAVEZ

Governor

P.O. Box 1454
 Marysville, CA 95901
 530-822-0561
 anselmoachavez@yahoo.com
 www.chavezforgovernor.com

Age: 69. Occupation: Educator/Accountant. Education and Qualifications: 1971 Bachelor's Degree—Business & Economics. (University of Nebraska at Omaha.) NE. 1979 Bachelor's Degree—Business Administration. (University of Albuquerque.) NM. 1991 Associate Degree—Accounting. (San Jose City College.) CA. Military Service: Served for 21 years. Retired April 1, 1972. (4 years with the U.S. Marines (Cpl.)—6 campaigns in Korea 7/50–8/51.) (17 years with the U.S. Air Force (MSgt.)—6 years in Europe/North Africa.) Federal Service: 1979—Central Intelligence Agency—Covert Operations. Top Priorities: Proposition 13 Reform. Appropriate funding for the poor and the elderly. Education.



CHARLES "CHUCK" PINEDA JR.

Governor

Americans For Pineda
 P.O. Box 277435
 Sacramento, CA 95827-7435
 916-366-0188
 CPJr66@aol.com

In 1982, I ran for Lieutenant Governor advocating public ownership of all electrical companies. Today, the electrical companies have filed *bankruptcy*! They gave anywhere from 8 to 10 billion dollars to their parent companies and expect us, the ratepayers, to bail them out! As your governor, I will enact legislation for *public ownership* and, with the help of the legislature, reduce our electrical bills 20% to 50% within one term. I strongly believe that to help the poor is to honor God (Proverbs 14:31). I will continue to preach at the *Union Gospel Mission* and the *Florin Health Center*.



GRAY DAVIS

Governor

P.O. Box 67190
 Los Angeles, CA 90067
 310-201-0344
 www.gray-davis.com
 governor@gray-davis.com

As Governor, I've worked hard to make a difference for people. In education, we've reduced class sizes, made schools more accountable and provided incentives to teachers for higher student performance. There's more to do, but student achievement is up three years in a row. I've expanded ten-fold the Healthy Families program for uninsured children and signed the country's toughest gun laws, banning assault weapons and junk guns. I've fought to preserve our environment, improve air and water quality, protect equal opportunity, human rights, a woman's right to choose—and ensure public safety. I would be honored to continue serving you.



MOSEMARIE BOYD

Governor

926 J St., Suite 809
 Sacramento, CA 95814
 916-313-5804
 Mosie@Mosemarie-Boyd.com
 www.Mosemarie-Boyd.com

As Governor, my top priority will be coordinating with the president to crush terrorism. As a bipartisan Democrat, I'll protect California's economy, critical infrastructures, and democratic freedoms. I'm pro-defense. I will hold terrorists responsible. And I will work hard to ensure that all Californians have access to educational excellence, quality health care, affordable housing, efficient transportation, and a safe environment so everyone remains invested in the American Dream. I've defended Californians' interests in Washington, DC and in Sacramento. As Governor, I won't put political fundraising goals before public interests. I'll use bipartisanship to lead California to a brighter future.

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**CRUZ M. BUSTAMANTE***Lieutenant Governor*

As a UC Regent, I am leading the effort for fairer admissions policies based on merit. As a State Lands Commissioner, I worked to protect California's coastline. As Assembly Speaker, I won textbooks for every child in California schools. As Lt. Governor, I partnered with business to create the largest voluntary program to promote breast cancer screenings for women in America. As Co-Chair of rebuilding California for the 21st century, I'm a leader in the campaign to dedicate the sales tax on gasoline for roads and mass transit. I would appreciate your consideration for re-election as your Lieutenant Governor.

**CARL HENLEY***Secretary of State*

One World Trade Center,
Suite 800
Long Beach, CA 90831
323-860-9995
carlhenley@justice.com

Over 25 years I have assisted in maximizing voter registration throughout California. As an active member of the California Democratic Party, I have received support from police officers, religious leaders, labor and senior organizations. As a former Commissioner for California State University, and a previous staff member for Los Angeles Police Department, Department of Community Development and as a Corporate General Counsel, my experience will allow me to effectively implement bold and innovative approaches to state government. As your *Secretary of State* I will continue to increase voter participation and modernize our electoral process. I look forward to strengthening *your* vote!

**MARCH FONG EU***Secretary of State*

2410 K St., Suite C
Sacramento, CA 95816
916-447-7418
Euin2002@aol.com
www.marchfongeu.org

Experience counts! 19 years as Secretary of State, 8 years as State Assemblywoman, 10 years as school board member, a term as United States Ambassador. I will continue fighting to open doors of opportunity for all Americans, regardless of gender, ethnicity or age. I put candidate statements in ballot pamphlets, pioneered reporting election results on the Internet, and created California's first voter fraud investigation unit. I will do even more to make the office cost-efficient. I will stop the use of Florida-type punchcard voting machines and ensure we have *no more chad!* Please vote for me. Thank you.

**MICHELA ALIOTO***Secretary of State*

1950 Sawtelle Blvd., Suite 295
Los Angeles, CA 90025
310-313-2047
campaign@alioto2002.com
www.alioto2002.com

As your 1998 Democratic nominee for Secretary of State and former advisor to Vice-President Gore on technology issues, I understand the importance of *fully modernizing and standardizing voting systems*. As a wheelchair user, I understand personally the need to *eliminate barriers to voting and promote civil rights*. Like all parents, I know the *importance of education* and the need to ensure *young people are actively involved in the political process*. As Secretary of State, I will fight to *increase voter registration, strengthen campaign laws and take tough stands against voter fraud and special interests*. I'm pro-choice and pro-environment.

**KEVIN SHELLEY***Secretary of State*

www.shelley2002.com

Senator Dianne Feinstein, Senator Barbara Boxer, and Democratic Congressional Whip Nancy Pelosi support me. I am prepared to meet the challenges facing a modern Secretary of State. The challenge to protect privacy: I passed laws to protect privacy and stop identity theft. I guarantee that your private voter information stays private. The challenge of voting in a busy world: I wrote the law so you can apply once for your absentee ballot instead of every election. The challenge of modernizing voting systems: I wrote Proposition 41—the Voting Modernization Act. Join me in rebuilding the infrastructure of our democracy.

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DEMOCRATIC PARTY

**MIKE SCHMIER***Attorney General*

1475 Powell St., #201
Emeryville, CA 94608
510-652-5450
mail@MikeForAG.com
MikeForAG.com

The first Constitutional duty of the Attorney General is to see that the laws of the State are uniformly enforced. I will do this—I will return reliability, consistency, affordability and trust to our legal system. I will make enforcing laws against terrorism my highest priority, work to strengthen our security, and insure safety for California. Over 90% of the State's appeal decisions cannot be used, cited or even mentioned in our courts. I will fight to stop this. When precedents don't count, our laws cannot be uniformly enforced. I will protect equal justice, legal rights and freedom.

**BILL LOCKYER***Attorney General*

1230 H St.
Sacramento, CA 95814
916-444-1755
Lockyerforag.com

As Attorney General, I've fought hard to protect Californians from criminal predators. We're catching more rapists and child molesters now because I kept my promise to build America's largest criminal DNA databank. I prosecuted California's first-ever criminal cases against abusive nursing homes. I'm honored that California AARP gave me its top award for the work we're doing to prevent elder abuse. California's Police Chiefs' and Sheriffs' Associations and the organizations representing police, sheriffs' deputies and firefighters support my reelection. Together, we're working day and night to make California safer in these difficult times. I hope I've earned your vote.

**JOHAN KLEHS***Controller*

P.O. Box 1026
San Leandro, CA 94577
510-614-9494
Klehsforcontroller.com

With 23 years of experience in government finance, you can count on me to make sound judgments about your tax dollars. As Controller, I will protect consumers from costly energy agreements and reinvest in our public school system. During my years in the Assembly and on the Board of Equalization, I defended a woman's right to choose, led reforms to cut taxes for 71% of California's working families, and wrote legislation to ban assault rifles. Please join California firefighters and Attorney General Bill Lockyer in supporting my candidacy. Now is the time for an experienced financial manager, not risky ventures.

**STEVE WESTLY***Controller*

10350 Santa Monica Blvd.
Los Angeles, CA 90025
650-365-4222
steve@westly2002.com
www.westly2002.com

California needs experienced financial leadership to create new jobs and keep our schools, communities, and environment safe and strong. I have the extensive business *and* government experience California needs. I have been elected four times to the Democratic National Committee and served in the Energy Department under President Carter. I've demonstrated strong financial management skills leading eBay and other successful technology companies. I've been a board member of my local YMCA, Land Trust, and UC Merced. Please join the California Teachers Association, COPS, and hundreds of government, community, union and business leaders who have endorsed my campaign.

**PHILIP ANGELIDES***Treasurer*

455 Capitol Mall, Suite 325
Sacramento, CA 95814
916-448-1998
fopa2002@aol.com

When you elected me in 1998, I pledged to use my private sector financial management experience to protect taxpayer dollars and invest more in California. I kept that pledge by refinancing bonds to lower taxpayer costs, earning positive returns on state investments, cracking down on illegal bond deals, and efficiently financing school repair and construction. I guarded our pension funds by opposing risky foreign investments, while prudently investing in California through home mortgage lending, financing for job creation, and student loans. In these difficult times, I will continue to protect your tax dollars and invest wisely in California's future.

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**THOMAS M. CALDERON***Insurance Commissioner*

1717 I St.
 Sacramento, CA 95814
 916-448-4825
 tomcalderon.com
 tom@tomcalderon.com

The Insurance Commissioner's job is to protect consumers. I want to restore confidence in the department. Insurance is a costly necessity for most families that must be there when we need it. I am a husband, father, former school board president and current Chair of the Assembly Insurance Committee. I am an advocate for families, teachers and working people and support consumer protection and increased worker benefits. Together with consumers and business, I have strengthened patient protection and increased access to affordable insurance while ensuring a healthy industry. I respectfully request your vote March 5th to continue that fight.

**BILL WINSLOW***Insurance Commissioner*

323-651-3793
 www.winslow2002.com

As Insurance Commissioner, I will champion consumers' rights. Unique among the Democratic candidates, I have 25 years of real-world experience with insurance transactions and disputes. I know how insurance should work. I know where improvements are needed. I believe the industry can still prosper while strong consumer protection standards are advanced. My priorities: fulfillment of Proposition 103, banning "zip code" rating of auto insurance premiums; bringing affordable earthquake insurance to consumers to avoid economic disaster; better loss control; e.g., promoting safer alternatives to hand-held cell phone use while driving; and, curbing unfair claims practices by insurers. (323) 651-3793 www.winslow2002.com

**JOHN GARAMENDI***Insurance Commissioner*

P.O. Box 5224
 Fair Oaks, CA 95628
 916-361-2428
 www.garamendi.org
 garamendicommittee@hotmail.com

I served as California's first elected Insurance Commissioner. I implemented Prop 103, returning nearly \$1 billion in rebates to consumers, lowering auto and homeowner premiums, and improving long-term care and medi-gap insurance. I forced insurance companies to pay an additional \$350 million to Oakland Hills Fire victims; helped the victims of the Northridge earthquake and the Laguna and Malibu fires. My successor, Quackenbush, resigned in a scandal, destroying what I built. I served as President Clinton's Deputy Secretary of Interior. I seek your vote to rebuild and restore the integrity of the Insurance Department. I don't accept insurance company contributions.

**TOM UMBERG***Insurance Commissioner*

As a Federal Prosecutor, I shut down telephone scams that targeted the elderly. I will *prosecute insurance companies* using false advertising to cheat seniors. As a legislator, I required insurance companies to pay for immunizing children. I strengthened laws to *stop* insurance company *discrimination* against the elderly, women, and minorities. I fought for auto insurance rates based on your driving record, not where you live. I will prosecute violations of that law. I am the candidate who has kept his promise not to accept insurance company contributions. California's firefighters, law enforcement officers and consumer advocates support me—*insurance companies don't*.



REPUBLICAN PARTY



BILL SIMON

Governor

770 L St., Suite 950
 Sacramento, CA 95814
 866-VOTE-SIMON
 866-868-3746
www.SimonforGovernor.com

I'm running for Governor because *we need new leadership to solve problems*. Career politicians have ignored them for too long. Our budget is out of balance, and taxes are rising. California public schools rank near bottom. We pay nearly the country's highest electricity rates. Our roads are the most congested. We face an impending water crisis. I offer my successful record of leadership: As a *businessman*—creating jobs. A *charitable leader*—helping people. A *federal prosecutor*—fighting crime with U.S. Attorney Rudy Giuliani. My record proves that *I can lead and solve problems*. I'd be honored to earn your vote.



NICK JESSON

Governor

7491 Talbert Ave.
 Huntington Beach, CA 92648
 800-936-7290
www.nickjesson.org

After serving in the Army, I received a college degree in electronics, which helped me to develop three successful electronics businesses. I am a true Pro-Life candidate because I promise to veto any budget that does not prohibit tax funding of abortions. Because I have promised to veto budgets permitting payments to illegals, to deploy the National Guard to repel illegals, and to veto bills that restrict Californians' rights to bear arms, I received the endorsement of the United Republicans of California. I was named California Republican of the Year by the National Republican Congressional Committee.



BILL JONES

Governor

1020 19th St., Suite 100
 Sacramento, CA 95814
 916-349-2002
www.billjones.org

When recession and crime hit the 1990s, I took tough action to turn California around. As Assembly Republican Leader, I negotiated the budget that was vital in pulling California out of the recession, eliminating a \$14 billion debt. *I authored "3 Strikes" that cut crime in California by twice the national average.* As Secretary of State, I protected term limits, reformed the election system to save millions of taxpayer dollars and put people in jail for voter fraud. I'm a third generation Californian, husband, father, rancher, farmer. Governor Deukmejian, Los Angeles Supervisor Knabe and over 80 elected Republican leaders endorse me.



JIM DIMOV

Governor

6512 Monterey Rd.
 Los Angeles, CA
 323-259-5317

My name is Jim Dimov. I was born in Bulgaria and escaped through Yugoslavia into Greece. United States Escapee Program helped me to come to the United States in 1966. In Los Angeles I finished Dental Technician College, published a book "The Miraculous Escape", and successful Real Estate Businessman. As Governor I will change all unconstitutional laws for the benefit of the People, will remove all corruption, bureaucracy, crime and pollution. As People's choice I will solve all problems such as unemployment, education, energy, health and housing. I am married, raised and educated four children.

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**RICHARD J. RIORDAN***Governor*

300 S. Grand Ave., Suite 2660
Los Angeles, CA 90071
213-830-5376
www.riordanforgovernor.org

As Governor, I will work to strengthen our economy, create quality jobs, restore sound fiscal management to state government, and always put children first. As a businessman and Mayor of Los Angeles, I created hundreds-of-thousands of jobs. As Mayor, I balanced 8 consecutive budgets without raising taxes, while hiring more police and cutting violent crime by 50%. I have shown leadership in many areas including rebuilding freeways in record time after the Northridge earthquake and helping to elect a reform-minded school board. I am a pro-death penalty Republican.

**DANNEY BALL***Governor*

140 E. Stetson Ave., #333
Hemet, CA 92543
909-658-6494
info@danneyball.com
<http://www.danneyball.com>

OK. Some call me cheap! I have not spent one minute raising money to get elected. We're off to a clean start. You get me full time. I plan on putting a friendlier and less costly face on capitol politics. I started my first business venture at 7 years old, worked as a printer, became an executive at CBS television at 23. I have a college degree but most of my business skills were self-taught. I started my first publication in 1973, sold out and invested in real estate. I'm asking for your vote mainly because I'm a grandpa.

**EDIE BUKEWIHGE***Governor*

P.O. Box 1625
Newport Beach, CA 92659-0625
edie@voteedie.com
<http://www.voteedie.org>

I, Edie Bukewihge, will govern for the people by the people by lowering all taxes in the state, and will create a free medicine plan for senior citizens in the state, secure our borders and ports, protect our environmental treasures, repeal mandates that place our legal citizens second to illegal immigrants, clean up deprived neighborhoods, increase business and employment with incentives to business that hires American first, repeal the California Constitution to comply with all rights of legal citizens per the United States Constitution and the Bill of Rights, and meet head on the issues of racism.

**ELLIE MICHAELS***Lieutenant Governor*

P.O. Box 6972
Thousand Oaks, CA 91359
805-241-0967
www.elliemichaels.com

My main focus will be parental involvement in education, lower taxes and tax credits for those who work at home. I believe there should be better communication from the California Legislature regarding pending Legislation, and I support a balanced approach to environmental issues and economic productivity. I believe Californians should have more opportunity to get involved. I will listen and encourage . . . to bring Californians together for a "New" California, setting the standard for America.

**BRUCE MCPHERSON***Lieutenant Governor*

P.O. Box 2747
Santa Cruz, CA 95063
916-606-3576
mcperson4LG@netscape.net

As a Republican legislator, I helped write the largest tax cut in state history, cut waste to save tax money, brought jobs to California, championed public safety, raised school standards and reduced class sizes. As Lt. Governor, I'll use my position on the California Economic Development Commission to bring new life and strength to California's economy. I'll fight red tape, reckless spending and job-killing bureaucracy. I'll bring new energy to the Lt. Governor's office, turning it into a mighty force for efficient government and economic recovery. Police, taxpayer groups and business leaders endorse me. I'd appreciate your support too.

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REPUBLICAN PARTY



MIKE SCHAEFER

Secretary of State

10822 Magnolia Blvd., #261
North Hollywood, CA 91601
818-508-1040

At age 63, I have the experience and achievements to make California proud of the Secretary of State. Educated at UC Berkeley, Georgetown Law, USC and San Diego State, I am active in my church, my community, and proud of my family. Government must be run like a business, delivering good value to the taxpayers; I have had many successful businesses, practiced constitutional law. I seek a level playing field for all of us, and my cases have ended alphabetical listing of candidates on ballots, have guaranteed right to write-in on a ballot, and assured fair residence requirements.



BARBARA JEAN MARR

Secretary of State

1511 Sawtelle Blvd., #341
Los Angeles, CA 90025
323-269-0178
Marr4CASecretary@aol.com
www.BearRepublicTeam.com

I witnessed the theft of a congressional election through voting by illegal aliens. Working since then as a voter registration reformer, I have found that voter registration fraud is widespread. Because my most important statutory duty will be to act as “chief elections officer”, I will focus the office’s resources upon detection of voter registrations of illegal aliens. Because my second most important duty will be to “keep a correct record of the official acts . . . of the government”, I will find out and publicize Republican legislators’ votes to pass state budgets that do *not* prohibit state expenditures for abortion.



KEITH OLBERG

Secretary of State

P.O. Box 2034
Sacramento, CA 95812
916-498-1499
www.olberg2002.com

Our right to vote and the integrity of our electoral process are the cornerstones of America’s freedom—rights I passionately defended as a legislator, businessman and official in the Reagan and Bush Administrations. As Secretary of State, I’ll demand “zero tolerance” against voter fraud, and use new technologies to make the voting process more efficient. I’ll expand voter participation, guarantee equal and unrestricted access to every eligible voter, and safeguard voting as a precious right. I earned a Ph.D. in constitutional law from Claremont Graduate School and a Masters Degree from American University. I ask for your trust and vote.



DICK ACKERMAN

Attorney General

921 11th St., Suite 600
Sacramento, CA 95814
www.AckermanforAG.com

California needs an Attorney General who *strongly supports the death penalty* and has the experience to make our neighborhoods, schools and businesses safe. I strongly supported *3-Strikes-You’re-Out* to put repeat criminals behind bars for good and California’s *One-Strike* law against sex offenders. I helped enact the *10-20-Life* law against gun-toting criminals. As California’s top crime-fighter, I’ll treat crime victims with respect and hold gang members, child abusers and violent criminals accountable for their actions. *I’m honored that District Attorneys, Police Officers, and Crime Victims support me.* I would appreciate your vote.



W. SNOW HUME

Controller

1511 Sawtelle Blvd., #341
Los Angeles, CA 90025
323-269-0178
www.BearRepublicTeam.com
Hume4controller@aol.com

Because the State Controller’s primary duty is to block unlawful state payments, I have superior credentials to hold this office: in 1980 I received a Bachelor’s degree from Yale University, in 1986 I became a California Certified Public Accountant, and recently I graduated from law school. Because I have promised that as State Controller I will stop state payments to cities like San Francisco that provide unlawful “sanctuary” to illegal aliens, and that I will stop state payments for enforcement of Penal Code Section 12020 and other unconstitutional gun laws, I have been endorsed by the *United Republicans of California*.

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DEAN ANDAL

Controller

PMB 250, 4719 Quail Lakes Dr.
Stockton, CA 95207-5267
209-478-2000

As a conservative Republican legislator and California Board of Equalization member, I've fought taxes and wasteful spending—a fight I'll continue as Controller. I consolidated field operations for the Board of Equalization, saving taxpayers \$40 million, and implemented an annual audit, saving millions more. I supported term limits, fought pay raises for legislators, led the fight against higher utility taxes, and protected Proposition 13—earning a “Friend of Taxpayers Award” from the California Taxpayers Association. The Howard Jarvis Taxpayers Association, National Taxpayers Alliance, Governor Pete Wilson and Governor George Deukmejian have endorsed me. I'm a husband, father and Eagle Scout.



TOM MCCLINTOCK

Controller

1127 11th St., Suite 216
Sacramento, CA 95814
916-448-9321
tom@TomMcClintock.com
www.TomMcClintock.com

For two decades, California's leading taxpayer advocates have recognized me as the toughest fiscal watchdog in the state legislature. I have introduced hundreds of specific reforms to eliminate wasteful expenditures and abusive taxes, repeal obsolete programs and streamline state operations. I spearheaded the drive to abolish vehicle license fees and fought to return billions of dollars of excessive fees and taxes to California's working families. The Controller is the guardian of the state treasury and this election is a referendum on California's spending practices. Your vote will send a powerful message for the wholesale reform of this state's bureaucracies.



NANCY BEECHAM

Controller

1827 Diesel Dr.
El Cajon, CA 92019
619-401-0908
nancybeecham@aol.com

I bring to this office my dedication, vision, compassion, and willingness to serve and lead. My experience as a Registered Nurse and business owner has prepared me to fulfill the mission of the State Controller to strengthen California's financial condition by developing economic policy and providing financial management services to state and local government while independently protecting taxpayer dollars. I have served on state and national governing boards which has strengthened my ability to problem solve and work well with others toward a common goal. I ask for your vote so that I may continue to serve you.



GREG CONLON

Treasurer

2764 Spring St., Suite 1A
Redwood City, CA 94063
650-474-2688
conlonpg@msn.com

My qualifications and experience ideally match the requirements for Treasurer. My professional business career includes being a senior partner and certified public accountant for over 30 years with Arthur Andersen. My public service career includes President of the California Public Utilities Commission and Commissioner of the California Transportation Commission, both appointed by Governor Pete Wilson. I was an officer and pilot in the US Air Force. These career experiences demonstrate my leadership ability. My education includes a business degree, University of Utah, and last year a law degree, University of San Francisco. My goal is to make California financially strong.



MARY A. TOMAN

Treasurer

2550 West Main St., #207
Alhambra, CA 91801
310-859-1797
Toman4Treasurer@aol.com
www.marytoman.org

As a former State of California Deputy Treasurer, Deputy Assistant Secretary of the United States Commerce Department, Los Angeles Commissioner—Industrial Development (bonds), and a current University Trustee for 12 years, Chairman of the Republican Party of Los Angeles County, a small business investment banker/investment manager with a Harvard Business School MBA and Stanford Economics Degree, I promise you *integrity* to restore our State's sinking credit rating to *save your taxes* and our economic future. I am a *fiscal conservative* who pledges results through my Golden State-Golden Future Plan. As a strong and determined native Californian, I will restore fiscal responsibility.

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REPUBLICAN PARTY



STEFAN "WATCHDOG" STITCH

Insurance Commissioner

1511 Sawtelle Blvd., #341
Los Angeles, CA 90025
323-269-0178
www.BearRepublicTeam.com
Stitch4insurance@aol.com

After I graduated from USC, I worked as a state licensed insurance agent, and now am an insurance analyst for a defense contractor. I have become quite knowledgeable about California's Insurance Code. Because I *don't* take contributions from *any* insurance company, I will go after them when they renege just because their policyholders can't afford to sue them. As Commissioner, I'll proceed against "day laborer" centers for illegal aliens, since the resulting "off the books" employments undermine the Workers' Compensation and Unemployment Insurance programs. I'm endorsed by *California College Republicans PAC*, *California Congress of Republicans*, and *United Republicans of California*.



GARY MENDOZA

Insurance Commissioner

As California's Commissioner of Corporations, I successfully fought for the creation of two health care charities with over \$3 billion in assets, strengthened patients' rights when dealing with their HMOs and increased the ability of small businesses to raise the capital they need to grow and create jobs. I helped investors recover an additional \$100 million of their money lost during the Prudential partnership scandal. As Deputy Mayor for Los Angeles, I helped rebuild the city's economy by improving the city's tax climate and cutting regulations. As Insurance Commissioner, I'll fight for California consumers, not the special interests.



WES BANNISTER

Insurance Commissioner

19242 McLaren Ln.
Huntington Beach, CA 92646
714-968-4547
coinsure@aol.com

Over the past 12 years most insurance premiums have more than doubled. Even our homeowner's and automobile policies have become much too expensive. As Insurance Commissioner I will take immediate steps to reverse this trend. I understand the problems of consumers, insurance, businesses, and government. I own and operate a business, was elected as Mayor of a major California city, and served as a board member and president of a major public agency. I know how to make government more efficient. The department of insurance needs to be responsible for *and responsive to* consumers. I will make this happen!



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GREEN PARTY



PETER MIGUEL CAMEJO

Governor

P.O. Box 3629
Oakland, CA 94609
510-595-4619
info@votecamejo.org
www.votecamejo.org

As chairperson of a socially responsible investment firm, I have worked on renewable energy, organic farming, affordable housing, and community investments. My experience can help grow the Green Party: Served on Board of County Pension Fund and Earth Share, Founded Council for Responsible Public Investments and Environmental Justice Fund. Marched with Dr. King. I will promote democracy and social justice as key to fighting terrorism and Green Ten Key Values. Improve California's public education, protect privacy, decriminalize the undocumented, provide living wage. I will fight for runoff elections (IRV) to end "spoiler" issue and respect will of the electorate.



DONNA J. WARREN

Lieutenant Governor

2809 Pico Blvd.
Santa Monica, CA 90401
213-427-8519
cottry@worldnet.att.net
www.vote.cagreens.org

In June 2001, I was the Green Party's candidate for Congress. I am a native Californian and a human rights advocate. I am not afraid to speak out against injustice. The Lt. Governor chairs the Commission for Economic Development. My strong audit background with the Metropolitan Transportation Authority and the federal government ensures that under my stewardship, California's billions will build a healthy economy and a peaceful world. I'm committed to building a strong Green Party through grassroots democracy; environmental justice; amending "3 Strikes" to violent crimes; universal health-care; and a politics of compassion for ecological sustainability.



LARRY SHOUP

Secretary of State

P.O. Box 21248
Oakland, CA 94620
510-654-7394
democracy@voteshoup.org
www.voteshoup.org

I pledge to build the Green Party and promote our Ten Key Values while campaigning throughout the state. As Secretary of State I will fight to: end political corruption through public financing of election campaigns; promote Proportional Representation and Instant Runoff Voting to fairly represent our diverse population; and institute corporate charter reform to counter corporate abuse. I am a professional historian, California native and union member. Since 1965 I have been active in the civil rights, anti-war, grassroots democracy and social justice movements and ran as a Green Party candidate for Oakland City Council in 1996. See voteshoup.org.



GLEN FREEMAN MOWRER

Attorney General

P.O. Box 3629
Oakland, CA 94609
510-44-GREEN (510-444-7336)
GLENMOWRER@home.com
www.vote.cagreens.org

As Attorney General I will de-emphasize punishment, promote prevention, re-invent rehabilitation, fight the crime lobby (big business, cops and cynical politicians) and end the death penalty. For 24 years I served as Public Defender of Santa Barbara County. Previously I worked for 7 years as a deputy public defender in Los Angeles County. The past two years I have done pro bono work for the homeless in Santa Barbara. Thus I know one overriding truth about the criminal justice system: it isn't nearly as just for the poor as it is for the wealthy and for corporations. With your help we can change this.

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GREEN PARTY



LAURA WELLS

Controller

P.O. Box 3629
Oakland, CA 94609
510-44-GREEN
www.vote.cagreens.org

I pledge myself to breaking the cycle of the already wealthy getting wealthier and the rest of California getting less and less. This cycle makes California a top jail builder and a low public education spender. State contracts must not go to the already wealthy, who then spend big money convincing the public to vote for what serves the very wealthy. I have 17 years experience in financial systems, and 8 years in nonprofit fundraising and administration. I am a veteran Green Party County Councilmember, Green Consensus editor, economic justice advocate. We can unite, and make our efforts count.



DAVID DELANO BLANCO

Controller

750 Farroll Rd., Unit H
Grover Beach, CA 93433
805-473-1389
www.LifeLinknet.com

I'm President of LifeLink, an international distributor of alternative nutritional supplements. As State Controller I'll audit reported payoffs made by California based UNOCAL to the Taliban made while state pension funds were heavily invested in UNOCAL. I'll end loopholes allowing local governments to license corporations which are suspended for non-payment of taxes. The State Controller's office employee relations is atrocious; I'll stop adversarial relations with employee unions and fight attempts to make state workers victims of mismanagement of California's budget. I'll fight waste of tax dollars on failed "drug war" policies freeing funds for education, health care, and energy.



JEANNE-MARIE ROSENMEIER

Treasurer

1217 Waller St.
San Francisco, CA 94117
415-931-3161
votejeanne@netvista.net

I will promote the growth of the Green Party and our Ten Key Values (see cagreens.org). I will support the application of investment guidelines regarding labor, environmental and social justice to the substantial funds managed by the Treasurer, thereby maintaining competitive returns while benefiting all Californians. Money belonging to the people should be invested in ways that improve the well-being of the people of this state. I am a single parent, a self-employed Certified Public Accountant with offices in Walnut Creek and San Francisco, a Green Party County Council member, and serve the state Green Party as electoral reform co-chair.



DAVID I. SHEIDLLOWER

Insurance Commissioner

P.O. Box 267
4096 Piedmont Ave.
Oakland, CA 94611
510-428-9176
greeninsurance@votesheidlower.org
www.votesheidlower.org

I will work in the best interests of the *people* of this State; regulating the insurance industry, not rubber-stamping it. I will work towards universal health coverage, no-fault auto insurance, realistic disaster coverage, and the development of Long Term Care Insurance that protects California's seniors. I have over 10 years experience in non-profit health care, including managing the underwriting and reporting for MediCal plans. I am currently an underwriting systems director. I lead the California Green Party's economic platform workgroup. As a candidate, I will work to grow the Green Party in California.



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NATURAL LAW PARTY

**IRIS ADAM***Governor*

P.O. Box 5065
Irvine, CA 92616
iris4NLP@yahoo.com
www.natural-law.org

It's time to end "politics as usual." My experience as a business analyst has taught me that good government means prevention, not crisis management. Because I accept no special interest money, I represent the voters, freeing me to implement innovative forward-looking programs that can solve critical problems, ensure a strong economy, and improve the quality of life for everyone. As Governor I will support alternative energy sources to achieve energy independence; excellence in *all* our schools; prevention-based health care; sustainable agriculture; labeling and safety testing of genetically engineered food. The most creative state deserves the most creative leadership.

**KALEE PRZYBYLAK***Lieutenant Governor*

kprism99@aol.com
www.natural-law.org

It's been said that leaders of Native American cultures make their decisions based on how it will effect the next seven generations. As Lt. Governor of California I will strongly support programs that encourage social responsibility and community involvement. An activist and grassroots organizer for over fifteen years, I have experienced first hand the power of leadership unselfishly united in a cause. I will work towards establishing a government devoted to serving the real needs of California citizens, as intended by the authors of our Constitution, not just special interest groups. I endorse alternative energy, environmental protection, and innovative learning.

**LOUISE MARIE ALLISON***Secretary of State*

260 West 12th St.
Claremont, CA 91711
909.437-3937
lallison7@earthlink.net
www.natural-law.org

There is nothing more fundamental to freedom than ensuring elections be administered fairly, accurately, and without bias. My priority is to create long-overdue election/campaign reforms to guarantee every candidate's voice is heard and *every vote counts*. This includes: implementing by January 2004 the most accurate, up-to-date voting equipment in *all* communities; mandatory election holidays; elimination of special interest/PAC campaign contributions; equal media access for all candidates on the ballot; shifting toward public sponsorship of campaigns; and proportional representation. As a true civil servant, not a career politician, I will openly and equitably serve all the citizens California.

**J. CARLOS AGUIRRE***Controller*

iaakos@yahoo.com
www.natural-law.org

As Vice President/Co-Founder of an extremely successful business, I have extensive experience in all facets of managing money, accounting, and investing. As Controller—chief financial officer of the state and watchdog of hard earned tax dollars—I will use my experience to uncover financial fraud, hold government accountable by auditing state agencies, and cut wasteful spending, resulting in savings that can be invested in education, infrastructure, and public safety. I am a native Californian, Viet Nam Veteran, and successful entrepreneur who understands the importance of honest government and is deeply committed to working for and representing *every* California citizen.

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NATURAL LAW PARTY



SYLVIA VALENTINE

Treasurer

P.O. Box 2612
Santa Cruz, CA 95063
sylvianlp@yahoo.com
www.natural-law.org

The Treasurer's responsibility is to invest the taxpayers' money (*your* money) safely and wisely. My experience as an administrator with non-profit organizations and for-profit businesses, has given me insight and knowledge about investing in a positive, socially conscious manner, while still maximizing return. I will make intelligent, careful, forward-looking decisions today, with an eye toward tomorrow. My first choice will always be to invest our state money in ourselves and our communities. I will keep the economy growing and strong, while making life-supporting investments that will provide jobs and secure our future and that of our children.



RAÚL CALDERÓN

Insurance Commissioner

P.O. Box 16854
Stanford, CA 94309
raulnlp@yahoo.com
www.natural-law.org

If elected, I will be an expert Insurance Commissioner who can honestly and fairly supervise and regulate the insurance business. I will work for the citizens of California, not large insurance companies, accepting no special interest (PAC) money during my campaign. My community-based work as an administrator/researcher in health psychology has shown me that quality health care, emphasizing prevention, would improve health and cut costs, thereby lowering insurance rates. Insurance provides a vital safety-net, our last line of protection when disaster hits. Earthquake, automobile, liability, health, and home insurance should be affordable and available to everyone.



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LIBERTARIAN PARTY



GARY COPELAND

Governor

5 Moccasin Trail
 Trabuco Canyon
 949-766-8556
 lpwolfpack.net/copeland
 GaryCopeland1@home.com

I am the CEO of a bio-information company, husband/father, and a practicing Druid Unitarian. Capitalism is taking dreams and ideas and turning them into reality. I'm running for Governor for my childrens' futures and the future of California. I want to rally individuals to secure liberty and happiness. The only proper realm of government is the protection of our lives, liberty and property from criminals and foreign invaders. Other functions violate our rights and make us dependent on government. Libertarians trust individuals to make decisions about their lives. Let's support the vision of our founding fathers.



PAT WRIGHT

Lieutenant Governor

P.O. Box 3395
 San Diego, CA 92163
 619-584-8427
 DSRJ@home.com
 www.ferretsanon.com

My message to the people of California is "Don't take your freedoms for granted!" For the past ten years I have been working to legalize the domestic ferret in California. During this process I have seen how politics works in California. And it only works for those who have political power. Domestic ferrets are legal in 48 states. Our state constitution recognizes our right to own domestic animals. Yet our state government has blocked efforts for this very simple matter. Our freedom does not come from the government; it is our birthright. Elect people who understand that.



GAIL K. LIGHTFOOT

Secretary of State

P.O. Box 598
 Pismo Beach, CA 93448
 805-481-3434
 gklftt@aol.com

I would increase eligible voter participation with easy to read and understand election pamphlets, permit permanent absentee voting status for any voter and allow anyone to return anyone's absentee ballot to the elections office. I want to know that *you* can cast *your* vote from the election material provided without depending on media coverage or advertising that benefits incumbents, major party and big money candidates. I want to see citizen legislators not career politicians running our government. I oppose limiting contributions to candidates by individuals (not Corporations, Unions or PACs). It is your money, you decide how to spend it.



ED KUWATCH

Attorney General

1325 Hilltop Dr.
 Willits, CA 95490
 707-459-3991
 ekuwatch@dui-california.com
 http://www.dui-california.com

My campaign is based on one simple idea, "Don't let them micromanage your life." As Attorney General I would take the War on Drugs out of the criminal justice system and put it in the health care system where it belongs. I would end laws restricting the right to bear arms; establish a statewide system of police officer discipline run by the Attorney General's office, rather than local government; assure that the three-strikes law is applied only to violent felons; end the restriction on doctors practicing only "conventional medicine" and finally, I would encourage reform of D.M.V.'s hopeless bureaucracy.

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LIBERTARIAN PARTY



MARIAN SMITHSON

Treasurer

mariansway@earthlink.net
www.ca.lp.org

As a CPA and three-term elected City Treasurer in West Covina, I am well-qualified to manage state investments and finances. I oppose the issuing of government bonds for any purpose, as this financing method almost doubles the cost of any government project and forces debt on our children and grandchildren. The state must either pay for projects when they come up, or preferably, encourage private investment and development. Libertarians favor less government across the board and are dedicated to protecting your personal freedom and economic liberty. Please join us.



DALE F. OGDEN

Insurance Commissioner

3620 Almeria St.
San Pedro, CA 90731-6410
310-547-1595
www.dalefogden.org
ogden@dalefogden.org

I, Dale F. Ogden, am president and founder of a consulting firm (established 1987) and have 27 years of diversified insurance regulatory-related experience. I am an actuary with professional credentials for both life-health and property-casualty insurance. Among hundreds of clients, I have consulted with and provided expert testimony for several state insurance commissioners, executive agencies of the federal government, and executive and legislative branches of state governments to help improve state insurance regulation, by drafting laws and regulations that promote the free market, get the government out of the way, and let competition work.



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AMERICAN INDEPENDENT PARTY



REINHOLD S. GULKE

Governor

559-323-9792
www.aipca.org

I am pro-life! When a society protects the unborn and the elderly from harm, that society will benefit from the respect citizens show each other. The tragedy of September 11 to our nation has brought to the forefront our deepest desire to unify as one community. As Governor I will promote unification of the Golden State of California. I will strive for the return of low cost energy, expanded water storage, public safety, and promote the desire for volunteerism. I am married to Leslie and we have 4 wonderful children, 2 grandchildren. We own RGE Inc. and Coyote Valley Farm.



JIM KING

Lieutenant Governor

7177 Brockton Ave., #114
Riverside, CA 92506
909-787-9533
vote4king.com

Government's proper role is to protect all human life from the moment of conception to the instant of natural death. Our right to life is inalienable endowed to us by our creator. This right is absolute and cannot be rationalized or compromised away. Hence the state of California should cease the support of destruction through abortion of unborn children. The sanctity of human life should be promoted by government protecting the most basic right, our right to life. My prayer and main objective of this office will be to return California to truly being pro-life.



EDWARD C. NOONAN

Secretary of State

1561 N. Beale Rd.
Marysville, CA 95901
530-743-6878
www.afamily.net/secstate

I have been involved with helping hundreds of fellow Californians who have been threatened and/or arrested by Supermarkets for registering people to vote. Malls consider it a crime to gather signatures for statewide initiatives on property *open to the public*. Police and judges become corrupted when they side with Shopping Malls (who falsely arrest and cause imprisonment of citizen voter registrars on bogus *trespass* charges). These violations have been overlooked in the past. The California election process has been chilled. If elected, I will correct these Election Code violations, and return *freedom of speech* to the California Constitution.



DIANE BEALL TEMPLIN

Attorney General

1016 Circle Dr.
Escondido, CA 92025
760-480-0428
votefordiane@hotmail.com
www.votefordiane.org

As the *American Independent Attorney General*, I support *Biblical and Constitutional Principals of Life, Liberty and Property*. I have worked for *Crime Prevention* by teaching my own daughter, now 25, right from wrong, hugs not drugs, and provided emergency shelter care for 67 *foster children*, and 3 pregnant girls. My experience includes practicing law for 26 years, founding *Advocate's Legal Services*, working with the Liberty Amendment Committee and National Justice Foundation. I support *restitution and rehabilitation* as alternatives to long-term incarceration. *Our Rights are our Might, Our Votes Are Our Voice We are Accountable, to Make the Right Choice!*

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AMERICAN INDEPENDENT PARTY



ERNEST F. VANCE

Controller

3501 Bradshaw Rd., #113
Sacramento, CA 95827
916-366-0434
e.f.vance@worldnet.att.net

I am 61 years old. My education consists of: a B.A. in Psychology, a M.A. in Education, and a Ph.D. in Pastoral Psychology. One of the main jobs of Controller is issuing warrants that are paid by the Treasurer and that these warrants are legal and constitutional. I will attempt to do this job as defined by law. I support the proposed *State Grand Jury Initiative*. I am treasurer of three organizations: the Sacramento County A.I.P., the SCNRA Members Council, and of my local church. I am in agreement with the A.I.P. Platform, and the 2nd Amendment.



NATHAN E. JOHNSON

Treasurer

6406 Friars Rd., #232
San Diego, CA 92108
619-297-7808
njohnsoz@san.rr.com

I will protect your tax dollars from government waste and target investing in California. Our credit rating must be protected in these tense times. I am 58 years old and have lived in the San Diego area since 1959. Living there has made me familiar with international border problems. I graduated from Southwestern Jr. College in 1971. My employer since 1972 is San Diego Transit where I belong to Amalgamated Transit Union Local 1309. I am pro-life. California taxpayer dollars should never be invested in a manner protecting or promoting abortion.



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SUPERINTENDENT OF PUBLIC INSTRUCTION (NONPARTISAN OFFICE)



KATHERINE H. SMITH

Nonpartisan

2166 W. Broadway, Suite #200
 Anaheim, CA 92804
 714-999-0799
 khs@superkathy.com
 www.superkathy.com

The first rule in choosing elected officials is to note what they do, not what they say. I want to extend statewide what I've accomplished in our large, diverse Anaheim Union High School District. Continually teach basics. For success, this requires attention to other details: teach patriotism, civility and respect; schools must have clean restrooms and campuses. Adoption of academic attire fosters less violence and raises grades. Reintroduce lockers to protect growing bones and increase safety. Parental "report cards" will improve parenting skills. Comprehensive prison education for non-violent offenders. Lastly, a "Moment of Silence" helps students focus.



LYNNE C. LEACH

Nonpartisan

P.O. Box 3045
 Walnut Creek, CA 94598
 925-934-1998
 lynne@lynneleach.com
 www.lynneleach.com

California is the world's 5th largest economy, yet our schools are ranked nationally at the bottom in student achievement, barely above Mississippi and Alabama. Our children deserve better. As Vice-Chair of the Assembly Education Committee I've fought for fairness in funding for schools and more empowerment for parents and teachers. I'm the only candidate fully committed to teaching our children the basics and expanding charter schools. As Superintendent, I will use my 35 years of business experience to ensure better fiscal management of schools so that our tax dollars are spent on students and teachers, not bureaucrats.



No
 Photo
 Submitted

JOE TAYLOR

Nonpartisan

University of Southern California Law School, Los Angeles, graduate. Pacific Union College, Angwin, California, graduate. Former Legal Assistant, Los Angeles City Attorney's Office.



JACK O'CONNELL

Nonpartisan

P.O. Box 13860
 San Luis Obispo, CA 93406
 805-547-1818
<http://www.oconnell2002.org>

As a parent, I understand how important it is for us to be deeply involved in our children's education. As a teacher, I know the difference well trained teachers can make. As a taxpayer, I'm committed to accountability, to ensuring education dollars are spent wisely. As a legislator, I wrote education reforms such as the law to begin reducing class size. As Chairman of the Senate's Education Subcommittee, I directed additional money to classrooms to purchase new textbooks and hire qualified teachers. I would be honored to have your support so, together, we can continue to create great public schools.

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STATEWIDE OFFICE DESCRIPTIONS FOR CANDIDATES

GOVERNOR

- As the state's chief executive officer, oversees most state departments and agencies and appoints judges.
- Proposes new laws and approves or vetoes legislation.
- Prepares and submits the annual state budget.
- Mobilizes and directs state resources during emergencies.

LIEUTENANT GOVERNOR

- Assumes the office and duties of Governor in the case of impeachment, death, resignation, removal from office, or absence from the state.
- Serves as President of and presides over the State Senate and has a tie-breaking vote.
- Chairs the Economic Development Commission, is a member of the State Lands Commission, and sits on the boards of the California university system.
- Serves as an ex-officio member of the California State World Trade Commission.

SECRETARY OF STATE

- As the state's chief elections officer, administers and enforces election laws and keeps records of all campaign and lobbyist disclosure statements required under the Political Reform Act.
- Files official documents relating to corporations, trademarks, the Uniform Commercial Code, notaries public, and limited partnerships.
- Collects and preserves historically valuable papers and artifacts in the California State Archives.
- Serves as an ex-officio member of the California State World Trade Commission.

CONTROLLER

- As the state's chief fiscal officer, acts as the state's accountant and bookkeeper of all public funds.
- Administers the state payroll system and unclaimed property laws.
- Serves on numerous boards and commissions including the Board of Equalization and the Board of Control.
- Conducts audits and reviews of state operations.

TREASURER

- As the state's banker, manages the state's investments.
- Administers the sale of state bonds and notes and is the investment officer for most state funds.
- Chairs or serves on several commissions, most of which relate to the marketing of bonds.
- Pays out state funds when spent by the Controller and other state agencies.

ATTORNEY GENERAL

- As the state's chief law officer, ensures that the laws of the state are uniformly and adequately enforced.
- Heads the Department of Justice, which is responsible for providing state legal services and support for local law enforcement.
- Acts as chief counsel in state litigation.
- Oversees law enforcement agencies, including District Attorneys and Sheriffs.

INSURANCE COMMISSIONER

- Oversees and directs all functions of the Department of Insurance.
- Licenses, regulates, and examines insurance companies.
- Answers public questions and complaints regarding the insurance industry.
- Enforces the laws of the California Insurance Code and adopts regulations to implement the laws.

SUPERINTENDENT OF PUBLIC INSTRUCTION (NONPARTISAN OFFICE)

- As the state's chief spokesperson for public schools, provides education policy and direction to local school districts.
- Directs all functions of the Department of Education and executes policies set by the State Board of Education.
- Serves as an ex-officio member of governing boards of the state's higher education system.
- Works with the educational community to improve academic performance.



CAN'T FIND YOUR POLLING PLACE?

We'll point you in
the right direction.

www.ss.ca.gov



COME TO OUR WEBSITE TO:

- Find your polling place
- Research campaign contributions
- Watch live election results
- Obtain absentee ballot information
- View lists of candidates

Send your comments to the
Secretary of State at bjones@ss.ca.gov



POLITICAL PARTY STATEMENTS OF PURPOSE



REFORM PARTY

The Reform Party of California's goal is to promote greater citizen participation in and control over the process of government to restore a government of, by and for the people. The present campaign finance system has individually corrupted many of our political leaders and misdirected the focus of government to serve big money special interests. The Reform Party is citizen based and not indebted to or controlled by special interests. This allows us to better serve your interests.

- Set the highest ethical standards for the White House and Congress.
- Obtain a reliable, sustainable source of energy.
- Restructure immigration in the best interests of the United States of America.
- Negotiate trade agreements that promote American jobs, consumer safety, environmental protection and fair trade.
- Restore all educational control at the state and local levels where parents and teachers have the most control.
- Support campaign-finance reform that removes the influence of special interest money and returns power to the people.
- Restrict abuse of foreign and domestic lobbying.
- Eliminate the corporate welfare that is currently given to multi-national corporations at the expense of the American taxpayer.

DONNA G. CAMPBELL, *State Chair*
Reform Party of California
4606 Greenbush Drive, Concord, CA 94521
925-676-1687
888-827-3367-Voice Mail Message Center
FAX: 925-686-3749
E-mail: dgcjgcR5@aol.com
Website: <http://careformparty.org>



DEMOCRATIC PARTY

The Democratic Party has a proven record of solid leadership on the economy, education and public safety.

Democrats, together with the leadership of Governor Davis and all of our Statewide Democratic officials have:

- Increased school accountability, supported teachers and improved public education, resulting in higher test scores
- Supported our law enforcement officers and firefighters with funding for equipment and training
- Passed tough legislation to get assault weapons and Saturday Night Specials off our streets and out of our schools
- Enacted meaningful HMO reform, giving healthcare decisions back to patients and their doctors

By re-nominating Governor Davis, our Democratic statewide officials, and supporting Democratic candidates for Congress and the State Legislature, Democrats will continue fighting for:

- Responsible economic stimulation and job security for working Americans
- Tolerance and the eradication of hate crimes
- Further reductions in violent crimes to make our neighborhoods and schools safer
- A woman's right to choose
- Seniors by protecting Social Security and Medicare benefits
- Affordable prescription drugs for seniors
- Greater environmental protections and a clean environment for future generations

Please join us on our e-mail network. Together, we will continue building a better California.

SENATOR ART TORRES (Ret.), *Chairman*
California Democratic Party
1401 21st Street, #100, Sacramento, CA 95814
916-442-5707/213-239-8730
FAX: 916-442-5715
E-mail: info@ca-dem.org
Website: www.ca-dem.org



REPUBLICAN PARTY

All Americans stand united with *President Bush* and the war against terrorism. Republicans are proud of our heritage from Abraham Lincoln's clarity for freedom for all people to George W. Bush's stand for liberty and justice. The Republican Party is a broad coalition of working families, new immigrants, senior citizens, and women. Republicans from *President George W. Bush* to your local officials will continue guiding our state and country on the issues that matter most to working Californians:

- *Better Schools* for our children. Parents, teachers and local school boards should decide what's best for our children.
- *Tax relief* and an accountable, efficient government responsive to the people who pay their salaries.
- *Safe Neighborhoods*, victims' rights and tougher criminal laws.
- *Strong national defense* for a safe country. No one is free if they feel threatened in their own homes and communities.

Today, our goal is for all Californians to be empowered with the opportunity to enjoy the *American dream*. Only Republicans support a genuine colorblind society where everyone has an equal start in the race of life. Join us and email us to work together to build a brighter, more prosperous California.

SHAWN STEEL, *Chairman*
The California Republican Party
Ronald Reagan California Republican Center
1903 West Magnolia Boulevard, Burbank, CA 91506
818-841-5210
916-448-9496
E-mail: chairman@cagop.org
Website: www.cagop.org



GREEN PARTY

The Green Party's principles are expressed in our 10 Key Values: Ecological Wisdom, Grassroots Democracy, Social Justice, Nonviolence, Respect for Diversity, Feminism, Community-Based Economics, Decentralization, Personal and Global Responsibility, and Sustainability.

We advocate:

- A policy of non-violence and preservation of our civil liberties.
- Supporting energy conservation and renewable energy sources.
- Ending nuclear power.
- Converting California's economy to long-term ecological sustainability.
- A livable wage and the right of all workers to organize.
- Increased funding of assistance programs to sustainable income levels.
- Ending corporate welfare.
- Universal healthcare, including holistic, integrative and mental health.

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POLITICAL PARTY STATEMENTS OF PURPOSE

Ensuring reproductive choice for all women.
 Ending immigrant bashing and racial profiling.
 Affirmative action programs.
 Increased funding for education, while allowing local schools to innovate.
 Proven bilingual education programs, and increased language training for all students.
 Decriminalizing drug use, funding proven treatment programs.
 A moratorium on prison construction.
 Ending the death penalty.
 Electoral reform particularly instant runoff voting and proportional representation.
 Campaign finance reform which reduces the influence of money in politics.
 Ecologically sustainable land-use: urban, rural, agricultural.
 Preserving old growth forests.
 Promoting and protecting organic and family farming.
 Increasing public transit.
 Taxing pollution, non-renewable energy and waste, rather than labor.
 Protecting children and youth from discrimination and exploitation.

GREEN PARTY OF CALIFORNIA
 P.O. Box 2828, Sacramento, CA 95812
 916-448-3437
 E-mail: gpc@greens.org
 Website: <http://www.cagreens.org>



NATURAL LAW PARTY

The Natural Law Party is a mainstream political party offering voters forward-looking, prevention-oriented, scientifically proven solutions to America's problems. Our principles and programs are based upon the most up-to-date scientific knowledge of natural law—the intelligence of nature that governs our complex universe. We stand for prevention-oriented proven solutions, not crisis management. The Natural Law Party supports:

- Innovative, scientifically validated programs for developing the full potential of *all* our students, along with local control of education
- Natural health care programs shown to prevent disease and cut costs
- Ensuring a strong economy by lowering taxes responsibly through cost-effective solutions and eliminating wasteful spending
- Effective, field-tested crime prevention and rehabilitation programs
- Increasing renewable non-polluting energy sources, thereby limiting our dependence on fossil fuels
- Strong environmental laws that ensure a healthy and pure environment for ourselves and future generations
- Safeguarding America's food supply through sustainable, organic agricultural practices, and mandatory labeling and safety testing of genetically engineered foods
- Promoting more prosperous, harmonious international relations by increasing the export of U.S. know-how, rather than weapons
- Ending special interest control of politics by eliminating PACs, soft money, and lobbying by former public servants

NATURAL LAW PARTY OF CALIFORNIA
 P.O. Box 50843, Palo Alto, CA 94303
 831-425-2201
 FAX: 831-427-9230
 E-mail: nlpca@aol.com
 Website: <http://www.natural-law.org>

LIBERTARIAN PARTY

The Libertarian Party is America. We are average Americans. We are people just like you. We want a better America. The Libertarian Party is neither left nor right. We have conservative, centrist and liberal members. How is this possible? Because, though what Libertarians believe may vary, we do not believe in having the government remake the country in our image. We believe government bureaucracies are not the way to bring about a better society. We believe in people solutions, not government programs that remove constitutional protections. Libertarians are currently serving as your city council members, mayors, sheriffs, and district attorneys. Over 450 Libertarians hold office nationwide and over 50 serve you in California. We are a realistic and persistent alternative. Libertarians believe in strict civil rights. We believe that a just society will never be achieved until the government is made to follow the rules set forth in the Constitution and the Bill of Rights. Only by ceding power back to the individual can we achieve economic security for all and a more peaceful, civil and prosperous society. Together we can make a difference. Please join us. Call 1-877-884-1776 or go to www.ca.lp.org.



AMERICAN INDEPENDENT PARTY

The American Independent Party, California affiliate of the Constitution Party, supports:

- The sanctity of innocent human life, including the lives of the unborn;
- Protection of American jobs from unfair foreign competition; repeal of NAFTA, GATT/WTO;
- Limits on legal immigration, and an end to illegal immigration; no tax funded benefits to illegals;
- Excellence in education, and right of parents to choose public schools, private schools, or home schooling;
- Control of crime; capital punishment for the most aggravated offenses;
- Right of citizens to keep and bear arms as provided by the Bill of Rights;
- Ending the personal income tax, and abolition of the IRS;
- A debt free money system;
- A non-interventionist foreign policy, and a strong national defense free of waste;
- Protection of consumers' rights in utility rates, insurance, health care, and housing;
- Consideration of human needs in environmental concerns.

We oppose any revision of the California Constitution to limit the right to vote, impair the people's right of initiative, overturn voter approved term limits, make it easier for government to tax and spend, or create bureaucratic regional governments.

We oppose both government speculation with social security funds, and affirmative action programs which substitute racial favoritism for individual ability.

NATHAN E. JOHNSON, *State Chairman*
 American Independent Party
 1084 W. Marshall Boulevard, San Bernardino, CA 92405
 559-299-3875
 E-mail: sbaip@gte.net
 Website: www.aipca.org

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COUNTY ELECTIONS OFFICIALS

ALAMEDA COUNTY

Registrar of Voters
1225 Fallon Street, Room G-1
Oakland, CA 94612-4283
510-663-8683
www.co.alameda.ca.us/rov

ALPINE COUNTY

P.O. Box 158
Markleeville, CA 96120
530-694-2281
www.co.alpine.ca.us

AMADOR COUNTY

Elections
500 Argonaut Lane
Jackson, CA 95642
209-223-6465

BUTTE COUNTY

Elections Division
25 County Center Drive, Suite I
Oroville, CA 95965-3375
530-538-7761
<http://clerk-recorder.buttecounty.net>

CALAVERAS COUNTY

Elections Department
891 Mountain Ranch Road
San Andreas, CA 95249-0971
209-754-6376

COLUSA COUNTY

546 Jay Street
Colusa, CA 95932
530-458-0500
www.colusacountyclerk.com

CONTRA COSTA COUNTY

P.O. Box 271
524 Main Street
Martinez, CA 94553
925-646-4166
[www.co.contra-costa.ca.us/
depart/elec/index.htm](http://www.co.contra-costa.ca.us/depart/elec/index.htm)

DEL NORTE COUNTY

981 "H" Street, Suite 160
Crescent City, CA 95531
707-465-0383

EL DORADO COUNTY

Elections Department
2850 Fairlane Court
P.O. Box 678001
Placerville, CA 95667-8001
530-621-7480
www.co.el-dorado.ca.us/elections

FRESNO COUNTY

2221 Kern Street
Fresno, CA 93721
559-488-3246
www.fresno.ca.gov/2850/index.html

GLENN COUNTY

Elections
516 W. Sycamore Street, 2nd Floor
Willows, CA 95988
530-934-6414
[www.countyofglenn.net/dept/
elections/default.asp](http://www.countyofglenn.net/dept/elections/default.asp)

HUMBOLDT COUNTY

3033 "H" Street
Eureka, CA 95501
707-445-7678
www.co.humboldt.ca.us

IMPERIAL COUNTY

Registrar of Voters
940 Main Street, Suite 202
El Centro, CA 92243
760-482-4226
www.imperialcounty.net

INYO COUNTY

P.O. Box F
Independence, CA 93526
760-878-0224

KERN COUNTY

1115 Truxtun Avenue
Bakersfield, CA 93301
661-868-3590
1-800-452-8683
www.co.kern.ca.us/elections

KINGS COUNTY

Elections Department
1400 W. Lacey Blvd.
Hanford, CA 93230
559-582-3211 Ext. 4401
www.countyofkings.com

LAKE COUNTY

Registrar of Voters
255 North Forbes Street
Lakeport, CA 95453
707-263-2372
www.co.lake.ca.us

LASSEN COUNTY

220 S. Lassen Street, Suite 5
Susanville, CA 96130
530-251-8216
<http://clerk.lassencounty.org>

LOS ANGELES COUNTY

12400 Imperial Highway
Norwalk, CA 90650-8357
562-462-2716
www.lavote.net or
www.regrec.co.la.ca.us

MADERA COUNTY

Registrar of Voters
209 W. Yosemite Avenue
Madera, CA 93637
559-675-7720
www.madera-county.com

MARIN COUNTY

3501 Civic Center Drive, Room 121
San Rafael, CA 94903
P.O. Box E (Mailing Address)
San Rafael, CA 94913
415-499-6456
www.co.marin.ca.us

MARIPOSA COUNTY

4982-10th Street
P.O. Box 247
Mariposa, CA 95338
209-966-2007

MENDOCINO COUNTY

501 Low Gap Road, Room 1020
Ukiah, CA 95482
707-463-4371
www.co.mendocino.ca.us

MERCED COUNTY

2222 "M" Street, Room 14
Merced, CA 95340
209-385-7541
www.co.merced.ca.us

MODOC COUNTY

County Clerk/Elections Office
P.O. Box 130
Alturas, CA 96101
530-233-6201

MONO COUNTY

Registrar of Voters
P.O. Box 237
Bridgeport, CA 93517
760-932-5241

MONTEREY COUNTY

1370 B South Main Street
P.O. Box 1848
Salinas, CA 93901
831-755-5085
www.mocovote.org

NAPA COUNTY

900 Coombs Street, Room 256
Napa, CA 94559
707-253-4321
www.co.napa.ca.us

NEVADA COUNTY

Elections
10433 Willow Valley Road, Suite E
Nevada City, CA 95959
530-265-1298
www.election.co.nevada.ca.us

COUNTY ELECTIONS OFFICIALS
ORANGE COUNTY

1300 S. Grand Avenue, Bldg. C
Santa Ana, CA 92705
714-567-7600
www.oc.ca.gov/election

PLACER COUNTY

2956 Richardson Drive
P.O. Box 5278
Auburn, CA 95604
530-886-5650
www.placer.ca.gov/elections

PLUMAS COUNTY

County Clerk/Elections Office
520 Main Street, Room 102
Quincy, CA 95971
530-283-6256
<http://countyofplumas.com>

RIVERSIDE COUNTY

Registrar of Voters
2724 Gateway Drive
Riverside, CA 92507
909-486-7200
www.voteinfo.net

SACRAMENTO COUNTY

Voter Registration & Elections
3700 Branch Center Road
Sacramento, CA 95827
916-875-6451
www.co.sacramento.ca.us/elections

SAN BENITO COUNTY

Courthouse
440 Fifth Street, Room 206
Hollister, CA 95023
831-636-4016

SAN BERNARDINO COUNTY

Registrar of Voters
777 East Rialto Avenue
San Bernardino, CA 92415-0770
909-387-8300
www.sbcrov.com

SAN DIEGO COUNTY

Registrar of Voters
5201 Ruffin Road, Suite 1
San Diego, CA 92123
858-565-5800
www.sdvote.com

SAN FRANCISCO COUNTY

1 Dr. Carlton B. Goodlett Place,
Room 48
San Francisco, CA 94102
415-554-4375
www.ci.sf.ca.us/election

SAN JOAQUIN COUNTY

212 N. San Joaquin Street
Stockton, CA 95202
209-468-2885
www.co.san-joaquin.ca.us/elect

SAN LUIS OBISPO COUNTY

Elections Division
1144 Monterey Street, Suite A
San Luis Obispo, CA 93408
805-781-5228
www.sloelections.org

SAN MATEO COUNTY

Registration and Elections Division
40 Tower Road
San Mateo, CA 94402
650-312-5222
www.shapethefuture.org

SANTA BARBARA COUNTY

1101 Anacapa Street, Second Floor
P.O. Box 159
Santa Barbara, CA 93102
805-568-2200
www.sb-democracy.com

SANTA CLARA COUNTY

1555 Berger Drive, Bldg. #2
San Jose, CA 95112
408-299-VOTE (8683)
408-299-POLL (7055)
www.sccvote.org

SANTA CRUZ COUNTY

701 Ocean Street, Room 210
Santa Cruz, CA 95060
831-454-2060
www.votescount.com

SHASTA COUNTY

1643 Market Street
Redding, CA 96001
P.O. Box 990880 (Mailing Address)
Redding, CA 96099-0880
530-225-5730
www.co.shasta.ca.us

SIERRA COUNTY

County Clerk—Recorder
Courthouse, Room 11
P.O. Drawer D
Downieville, CA 95936
530-289-3295

SISKIYOU COUNTY

311 Fourth Street, Room 201
P.O. Box 338
Yreka, CA 96097
530-842-8084
www.co.siskiyou.ca.us

SOLANO COUNTY

Registrar of Voters
510 Clay Street
P.O. Box 1
Fairfield, CA 94533
707-421-6675
1-888-933-VOTE (8683)
www.solanocounty.com/elections

SONOMA COUNTY

435 Fiscal Drive
P.O. Box 11485
Santa Rosa, CA 95406-1485
707-565-6800
1-800-750-VOTE (8683)
www.sonoma-county.org/regvoter

STANISLAUS COUNTY

1021 "I" Street, Suite 101
Modesto, CA 95354
209-525-5200

SUTTER COUNTY

Registrar of Voters
433 Second Street
Yuba City, CA 95991
530-822-7122

TEHAMA COUNTY

444 Oak Street, Room C
P.O. Box 250
Red Bluff, CA 96080
530-527-8190

TRINITY COUNTY

101 Court Street
P.O. Box 1215
Weaverville, CA 96093-1215
530-623-1220
www.trinitycounty.org/elections

TULARE COUNTY

Elections
221 S. Mooney Blvd., Room G-28
Visalia, CA 93291-4596
559-733-6275
www.tularecoauditor.org/elections

TUOLUMNE COUNTY

County Clerk & Election Department
39 N. Washington Street, Suite A
2 S. Green Street (Mailing Address)
Sonora, CA 95370
209-533-5570

VENTURA COUNTY

Elections Division
800 S. Victoria Avenue, L-1200
Ventura, CA 93009
805-654-2664
www.ventura.org/election

YOLO COUNTY

Elections Office
625 Court Street, Room B05
Woodland, CA 95695
P.O. Box 1820 (Mailing Address)
Woodland, CA 95776-1820
530-666-8133
www.yoloelections.org

YUBA COUNTY

Elections
935 14th Street
Marysville, CA 95901
530-741-6545
www.co.yuba.ca.us



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Just complete a confidential voter registration affidavit at one of the Safe at Home enrolling agencies—or simply re-register with the Registrar of Voters or County Clerk's Office in your county after you enroll in the program.

The Safe at Home confidential address program provides a no-cost mail forwarding service to victims of domestic violence and stalking that helps keep their addresses confidential—so their former partners or stalkers can't locate them. Once registered, Safe at Home participants automatically receive "absent voter status" so they can vote by mail, in the privacy of their homes.



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Cassettes can be obtained by calling your local public library or by calling 1-800-345-VOTE.



1-800-345-VOTE

TEXT OF PROPOSED LAWS



PROPOSITION 40

This law proposed by Assembly Bill 1602 of the 2001–2002 Regular Session (Chapter 875, Statutes of 2001) is submitted to the people in accordance with the provisions of Article XVI of the California Constitution.

This proposed law adds sections to the Public Resources Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Chapter 1.696 (commencing with Section 5096.600) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 1.696. THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002

Article 1. General Provisions

5096.600. *This chapter shall be known, and may be cited, as the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.*

5096.601. *The Legislature finds and declares all of the following:*

(a) *To maintain a high quality of life for California's growing population requires a continuing investment in parks, recreation facilities, and in the protection of the state's natural and historical resources.*

(b) *Clean air, clean water, clean beaches, and healthy natural ecosystems that can support both human communities and the state's native fish and wildlife are all part of the legacy of California. Each generation has an obligation to be good stewards of these resources in order to pass them on to their children.*

(c) *California's historical legacy also requires active protection, restoration, and interpretation to preserve and pass on an understanding and appreciation of the diverse cultural influences and extraordinary human achievements that have contributed to the unique development of California.*

5096.605. *As used in this chapter, the following terms have the following meanings:*

(a) *"Acquisition" means obtaining the fee title or a lesser interest in real property, including specifically, a conservation easement or development rights.*

(b) *"Department" means the Department of Parks and Recreation.*

(c) *"Development" includes, but is not limited to, improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.*

(d) *"Director" means the Director of the Department of Parks and Recreation.*

(e) *"District" means any regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3, any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780), or an authority formed pursuant to Division 26 (commencing with Section 35100). With respect to any community or unincorporated region that is not included within a district, and in which no city or county provides parks or recreational areas or facilities, "district" also means any other district that is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation director, offers year-round park and*

recreation services on lands and facilities owned by the district, and allocates a substantial portion of its annual operating budget to parks or recreation areas or facilities.

(f) *"Fund" means the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund created pursuant to Section 5096.610.*

(g) *"Historical resource" includes, but is not limited to, any building, structure, site, area, place, artifact, or collection of artifacts that is historically or archaeologically significant in the cultural annals of California.*

(h) *"Local conservation corps" means a program operated by a public agency or nonprofit organization that is certified pursuant to Section 14406.*

(i) *"Nonprofit organization" means any nonprofit public benefit corporation formed pursuant to the Nonprofit Corporation Law (commencing with Section 5000 of the Corporations Code), qualified to do business in California, and qualified under Section 501(c)(3) of the Internal Revenue Code.*

(j) *"Preservation" means identification, evaluation, recordation, documentation, interpretation, protection, rehabilitation, restoration, stabilization, development, and reconstruction, or any combination of those activities.*

(k) *"Secretary" means the Secretary of the Resources Agency.*

5096.606. *Lands or interests in land acquired with funds allocated pursuant to this chapter shall be acquired from a willing seller.*

Article 2. The California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002

5096.610. *The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund, which is hereby created. Except as provided in subdivision (a) of Section 5096.650, the money in the fund shall be available for appropriation by the Legislature, in the manner set forth in this chapter, for acquisition and development projects, in accordance with the following schedule:*

(a) *The sum of two hundred twenty-five million dollars (\$225,000,000) for acquisition and development of the state park system.*

(b) *The sum of eight hundred thirty-two million five hundred thousand dollars (\$832,500,000) for local assistance programs for the acquisition and development of neighborhood, community, and regional parks and recreation areas.*

(c) *The sum of one billion two hundred seventy-five million dollars (\$1,275,000,000) for land, air, and water conservation programs, including acquisition for those purposes.*

(d) *The sum of two hundred sixty-seven million five hundred thousand dollars (\$267,500,000) for the acquisition, restoration, preservation, and interpretation of California's historical and cultural resources.*

Article 3. State Parks

5096.615. *The two hundred twenty-five million dollars (\$225,000,000) allocated pursuant to subdivision (a) of Section 5096.610 shall be available for appropriation by the Legislature to the department for the acquisition and development of the state park system. It is the intent of the Legislature that first priority for funding shall be for development projects to complete and expand visitor facilities and for restoration projects. Not more*

PROPOSITION 40 (cont.)

than 50 percent of the funds provided by this section may be used for acquisition.

Article 4. Local Assistance Programs

5096.620. The eight hundred thirty-two million five hundred thousand dollars (\$832,500,000) allocated pursuant to subdivision (b) of Section 5096.610 shall be available for appropriation by the Legislature for local assistance programs, in accordance with the following schedule:

(a) The sum of three hundred fifty million dollars (\$350,000,000) to the department for grants, in accordance with Section 5096.621, and on the basis of population, for the acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities in urban and rural areas.

(b) The sum of two hundred million dollars (\$200,000,000) to the department for grants, in accordance with the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620)).

(c) The sum of twenty-two million five hundred thousand dollars (\$22,500,000) on a per capita basis in accordance with subdivision (g) of Section 5096.621.

(d) The sum of two hundred sixty million dollars (\$260,000,000) to the department for grants for urban and special need park programs in accordance with Section 5096.625.

5096.621. (a) Sixty percent of the total funds available for grants pursuant to subdivision (a) of Section 5096.620 shall be allocated to cities and to districts other than a regional park district, regional park and open-space district, or regional open-space district. Each city's and district's allocation shall be in the same ratio as the city's or district's population is to the combined total of the state's population that is included in incorporated areas and unincorporated areas within the district, except that each city or district shall be entitled to a minimum allocation of two hundred twenty thousand dollars (\$220,000). In any instance in which the boundary of a city overlaps the boundary of such a district, the population in the area of overlapping jurisdiction shall be attributed to each jurisdiction in proportion to the extent to which each operate and manage parks and recreational areas and facilities for that population. In any instance in which the boundary of a city overlaps the boundary of such a district, and in the area of overlap the city does not operate and manage parks and recreational areas and facilities, all grant funds shall be allocated to the district.

(b) Each city and each district subject to subdivision (a) whose boundaries overlap shall develop a specific plan for allocating the grant funds in accordance with the formula specified in subdivision (a). If, by April 1, 2003, the plan has not been agreed to by the city and district and submitted to the department, the director shall determine the allocation of the grant funds among the affected jurisdictions.

(c) Forty percent of the total funds available for grants pursuant to subdivision (a) of Section 5096.620 shall be allocated to counties and regional park districts, regional park and open-space districts, or regional open-space districts formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3.

(d) Each county's allocation under subdivision (a) shall be in the same ratio as the county's population, except that each county shall be entitled to a minimum allocation of one million two hundred thousand dollars (\$1,200,000).

(e) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, or regional open-space district, whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the

territory of the district and the population of the county that is outside the territory of the district.

(f) For the purpose of making the calculations required by this section, population shall be determined by the department, in cooperation with the Department of Finance, on the basis of the most recent verifiable census data and other verifiable population data that the department may require to be furnished by the applicant city, county, or district.

(g) Of the funds appropriated in subdivision (c) of Section 5096.620, twelve million five hundred thousand dollars (\$12,500,000) shall be allocated to a city with an urban population greater than three million five hundred thousand in a county of the first class, and ten million dollars (\$10,000,000) shall be allocated to a county of the first class.

(h) The Legislature finds and declares that it intends all recipients of funds pursuant to subdivision (a) of Section 5096.620 to use those funds to supplement local revenues, in existence on the effective date of the act adding this chapter during the 2001–02 Regular Session, that are being used for parks or other projects eligible for funds under this chapter. To receive any allocation pursuant to subdivision (a) of Section 5096.620, the recipient may not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this chapter in their jurisdiction. One-time allocations that have been expended for parks or other projects, but which are not available on an ongoing basis, may not be considered when calculating a recipient's annual expenditures. For purposes of this subdivision, the Controller may request fiscal data from recipients for the preceding three fiscal years. Each recipient shall furnish the data to the Controller not later than 120 days after receiving the request from the Controller.

5096.624. (a) The director shall prepare and adopt criteria and procedures for evaluating applications for grants allocated pursuant to subdivisions (a) to (c), inclusive, of Section 5096.620. Individual applications for funds shall be submitted to the department for approval as to their conformity with the requirements of this chapter. The application shall be accompanied by certification that the project for which the grant is requested is consistent with the park and recreation element of the applicable city or county general plan or the district park and recreation plan, as the case may be, and will satisfy a high priority need.

(b) To utilize available grant funds as effectively as possible, overlapping or adjoining jurisdictions and applicants with similar objectives are encouraged to combine projects and submit a joint application. An applicant may allocate all or a portion of its per capita share for a regional or state project.

(c) The director shall annually forward a statement of the total amount to be appropriated in each fiscal year for projects approved for grants pursuant to this article to the Director of Finance for inclusion in the Budget Bill. A list of eligible jurisdictions and the amount of grant funds to be allocated to each shall also be made available by the department.

(d) Funds appropriated pursuant to this article shall be encumbered by the recipient within three years from the date the appropriation is effective. Regardless of the date of encumbrance of the granted funds, the recipient is expected to complete all funded projects within eight years of the effective date of the appropriation.

5096.625. The funds provided in subdivision (d) of Section 5096.620 shall be available as grants for public agencies and non-profit organizations for the acquisition and development of new parks, botanical gardens, nature centers, and other community facilities in park poor communities. The funds may be expended pursuant to Section 5004.5, and Chapter 1.55 (commencing

TEXT OF PROPOSED LAWS

PROPOSITION 40 (cont.)

with Section 5095), if Senate Bill 359 of the 2001–02 Regular Session of the Legislature is enacted on or before January 1, 2003, and Chapter 3.3 (commencing with Section 5640), if Assembly Bill 1481 of the 2001–02 Regular Session of the Legislature is enacted on or before January 1, 2003, or pursuant to any other applicable statutory authorization. Not less than fifty million dollars (\$50,000,000) of the funds provided in subdivision (d) of Section 5096.620 shall be expended for competitive grants consistent with the requirements of subdivision (b) of Section 5096.348. Ten million dollars (\$10,000,000) of the funds provided in subdivision (d) of Section 5096.620 shall be available for development of Central Park in the City of Rancho Cucamonga. Five million dollars (\$5,000,000) of the funds provided in subdivision (d) of Section 5096.620 shall be available for allocation to the City of Los Angeles for park and recreation or community facilities at or adjacent to the Hansen Dam recreation area. Five million dollars (\$5,000,000) of the funds provided in subdivision (d) of Section 5096.620 shall be available for allocation to the City of Los Angeles for the Sepulveda Basin recreational parkland.

5096.629. In making grants of funds allocated pursuant to subdivision (d) of Section 5096.620, priority shall be assigned to projects that include a commitment for a matching contribution. Contributions may be in the form of money from a nonstate source; gifts of real property, equipment, and consumable supplies; volunteer services; free or reduced-cost use.

5096.633. Any grant funds appropriated pursuant to this article that have not been expended by the grant recipient prior to July 1, 2011, shall revert to the fund and be available for appropriation by the Legislature for one or more of the local assistance programs specified in Section 5096.620 that the Legislature determines to be the highest priority statewide.

Article 5. Land, Air, and Water Conservation

5096.650. The one billion two hundred seventy-five million dollars (\$1,275,000,000) allocated pursuant to subdivision (c) of Section 5096.610 shall be available for the acquisition and development of land, air, and water resources in accordance with the following schedule:

(a) Notwithstanding Section 13340 of the Government Code, the sum of three hundred million dollars (\$300,000,000) is continuously appropriated to the Wildlife Conservation Board for the acquisition, development, rehabilitation, restoration, and protection of habitat that promotes the recovery of threatened and endangered species, that provides corridors linking separate habitat areas to prevent habitat fragmentation, and that protects significant natural landscapes and ecosystems such as old growth redwoods and oak woodlands and other significant habitat areas; and for grants and related state administrative costs pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code). Funds scheduled in this subdivision may be used to prepare management plans for properties acquired in fee by the Wildlife Conservation Board.

(b) The sum of four hundred forty-five million dollars (\$445,000,000) to the conservancies in accordance with the particular provisions of the statute creating each conservancy for the acquisition, development, rehabilitation, restoration, and protection of land and water resources; for grants and state administrative costs; and in accordance with the following schedule:

- (1) To the State Coastal Conservancy..... \$ 200,000,000
- (2) To the California Tahoe Conservancy.. \$ 40,000,000
- (3) To the Santa Monica Mountains Conservancy..... \$ 40,000,000

- (4) To the Coachella Valley Mountains Conservancy..... \$ 20,000,000
- (5) To the San Joaquin River Conservancy. \$ 25,000,000
- (6) To the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy... \$ 40,000,000
- (7) To the Baldwin Hills Conservancy..... \$ 40,000,000
- (8) To the San Francisco Bay Area Conservancy Program..... \$ 40,000,000

(c) The sum of three hundred seventy-five million dollars (\$375,000,000) shall be available for grants to public agencies and nonprofit organizations for acquisition, development, restoration, and associated planning, permitting, and administrative costs for the protection and restoration of water resources in accordance with the following schedule:

(1) The sum of seventy-five million dollars (\$75,000,000) to the secretary for the acquisition and development of river parkways and for protecting urban streams. The secretary shall make funds available in accordance with Sections 7048 and 78682.2 of the Water Code, and pursuant to any other applicable statutory authorization. Not less than five million dollars (\$5,000,000) shall be available for grants for the urban streams program, pursuant to Section 7048 of the Water Code.

(2) The sum of three hundred million dollars (\$300,000,000) shall be available for the purposes of clean beaches, watershed protection, and water quality projects to protect beaches, coastal waters, rivers, lakes, and streams from contaminants, pollution, and other environmental threats.

(d) The sum of fifty million dollars (\$50,000,000) to the State Air Resources Board for grants to air districts pursuant to Chapter 9 (commencing with Section 44275) of Part 5 of Division 26 of the Health and Safety Code for projects that reduce air pollution that affects air quality in state and local park and recreation areas. Eligible projects shall meet the requirements of Section 16727 of the Government Code and shall be consistent with Section 43023.5 of the Health and Safety Code, if Assembly Bill 1390 of the 2001–02 Regular Session of the Legislature is enacted on or before January 1, 2003. Each district shall be eligible for grants of not less than two hundred thousand dollars (\$200,000). Not more than 5 percent of the funds allocated to a district may be used to cover the costs associated with implementing the grant program.

(e) The sum of twenty million dollars (\$20,000,000) to the California Conservation Corps for the acquisition, development, restoration, and rehabilitation of land and water resources, and for grants and state administrative costs in accordance with the following schedule:

(1) The sum of five million dollars (\$5,000,000) shall be available for resource conservation activities.

(2) The sum of fifteen million dollars (\$15,000,000) shall be available for grants to local conservation corps for acquisition and development of facilities to support local conservation corps programs.

(f) The sum of seventy-five million dollars (\$75,000,000) shall be available for grants for the preservation of agricultural lands and grazing lands, including oak woodlands and grasslands.

(g) The sum of ten million dollars (\$10,000,000) to the Department of Forestry and Fire Protection for grants for urban forestry programs pursuant to the California Urban Forestry Act of 1978 (Chapter 2 (commencing with Section 4799.06) of Part 2.5 of Division 1).

5096.651. In making grants pursuant to subdivisions (a) and (b) of Section 5096.650, priority shall be given to projects that include a commitment for a matching contribution. Contributions may be in the form of money, property, or services.

PROPOSITION 40 (cont.)

Article 5. Historical and Cultural Resources Preservation

5096.652. (a) The two hundred sixty-seven million five hundred thousand dollars (\$267,500,000) allocated pursuant to subdivision (d) of Section 5096.610 shall be available for appropriation by the Legislature for the acquisition, development, preservation, and interpretation of buildings, structures, sites, places, and artifacts that preserve and demonstrate culturally significant aspects of California's history and for grants for these purposes. Eligible projects include, but are not limited to, those which preserve and demonstrate the following:

(1) Culturally significant aspects of life during various periods of California history including architecture, economic activities, art, recreation, and transportation.

(2) Unique identifiable ethnic and other communities that have added significant elements to California's culture.

(3) California industrial, commercial, and military history including the industries, technologies, and commercial activities that have characterized California's economic expansion and California's contribution to national defense.

(4) Important paleontologic, oceanographic, and geologic sites and specimens.

(b) Thirty-five million dollars (\$35,000,000) of the funds available pursuant to this section shall be allocated to a city for the development, rehabilitation, preservation, restoration, and interpretation of resources at a city park of historical and cultural significance that is over 1,000 acres and that serves an urban area with a population that is greater than 750,000 in northern California.

(c) Two million five hundred thousand dollars (\$2,500,000) of the funds available pursuant to this section shall be allocated to the County of Los Angeles for the El Pueblo Cultural and Performing Arts Center.

Article 6. Fiscal Provisions

5096.665. Bonds in the total amount of two billion six hundred million dollars (\$2,600,000,000), not including the amount of any refunding bonds issued in accordance with Section 5096.677, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes set forth in Section 5096.610 and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of the principal of, and interest on, the bonds as the principal and interest become due and payable. Pursuant to this section, the Treasurer shall sell the bonds authorized by the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act Finance Committee created pursuant to subdivision (a) of Section 5096.667 at any different times that are necessary to service expenditures appropriated pursuant to this chapter.

5096.666. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter by this reference as though set forth in full in this chapter.

5096.667. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act Finance Committee is hereby created. For purposes

of this chapter, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Director of Finance, and the Treasurer, or their designated representatives. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Secretary of the Resources Agency is designated the "board."

5096.668. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter to carry out Section 5096.610 and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

5096.670. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds maturing each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

5096.671. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum necessary to carry out Section 5096.672, appropriated without regard to fiscal years.

5096.672. For purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized to be sold for the purpose of carrying out this chapter. Any amount withdrawn shall be deposited in the fund. Any money made available under this section shall be returned to the General Fund from proceeds received from the sale of bonds for the purpose of carrying out this chapter.

5096.673. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds. These costs shall be shared proportionally by each program funded through this bond act.

5096.674. Actual costs incurred in connection with administering programs authorized under the categories specified in Section 5096.610 shall be paid from the funds authorized by this act.

5096.675. The secretary may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, including other authorized forms of interim financing that include, but are not limited to, commercial paper, in accordance with Section 16312 of the Government Code, for purposes of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds that the committee, by resolution, has authorized to be sold for the purpose of carrying out this chapter. The secretary shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.

PROPOSITION 40 (cont.)

5096.676. All money deposited in the fund that is derived from premium and accrued interest on bonds sold shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest.

5096.677. The bonds may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state of the issuance of the bonds described in this chapter includes the approval of the issuance of any bonds to refund any bonds originally issued under this chapter or any previously issued refunding bonds.

5096.678. Notwithstanding any provision of this chapter or the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, subject to designated conditions, the Treasurer may maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds. The Treasurer may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of bond proceeds required or desirable under federal law to maintain the tax-exempt status of those bonds

and to obtain any other advantage under federal law on behalf of the funds of this state.

5096.679. (a) The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by that article.

(b) Funds provided pursuant to this chapter, and any appropriation or transfer of those funds, shall not be deemed to be a transfer of funds for the purposes of Chapter 9 (commencing with Section 2780) of Division 3 of the Fish and Game Code.

5096.681. Except for funds continuously appropriated by this chapter, all appropriations of funds pursuant to Section 5096.610 for purposes of the program shall be included in the Budget Bill for the 2002–03 fiscal year, and each succeeding fiscal year, for consideration by the Legislature, and shall bear the label "California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Program Fund." The Budget Bill section shall contain separate items for each project, each class of project, or each element of the program for which an appropriation is made.

5096.683. The Secretary shall provide for an annual audit of expenditures from this chapter.



PROPOSITION 41

This law proposed by Assembly Bill 56 of the 2001–2002 Regular Session (Chapter 902, Statutes of 2001) is submitted to the people in accordance with the provisions of Article XVI of the California Constitution.

This proposed law adds sections to the Elections Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Article 3 (commencing with Section 19230) is added to Chapter 3 of Division 19 of the Elections Code, to read:

Article 3. Voting Modernization Bond Act of 2002
(Shelley-Hertzberg Act)

19230. This article shall be known and may be cited as the Voting Modernization Bond Act of 2002 (Shelley-Hertzberg Act).

19231. The State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), except as otherwise provided herein, is adopted for the purpose of the issuance, sale, and repayment of, and otherwise providing with respect to, the bonds authorized to be issued by this article, and the provisions of that law are included in this article as though set out in full.

19232. As used in this article, the following words have the following meanings:

(a) "Board" means the Voting Modernization Board, established pursuant to Section 19235.

(b) "Bond" means a state general obligation bond issued pursuant to this article adopting the provisions of the State General Obligation Bond Law.

(c) "Bond act" means this article authorizing the issuance of state general obligation bonds and adopting the State General Obligation Bond Law by reference.

(d) "Committee" means the Voting Modernization Finance Committee, established pursuant to Section 19233.

(e) "Fund" means the Voting Modernization Fund, created pursuant to subdivision (b) of Section 19234.

(f) "Voting system" means any voting machine, voting device, or vote-tabulating device that does not utilize prescored punch card ballots.

19233. (a) The Voting Modernization Finance Committee is hereby established for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this article.

(b) The committee consists of the Controller, the Director of Finance, and the Treasurer, or their designated representatives, all of whom shall serve thereon without compensation, and a majority of whom shall constitute a quorum. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(c) For purposes of this article, the Voting Modernization Finance Committee is "the committee" as that term is used in the State General Obligation Bond Law.

19234. (a) The committee may create a debt or debts, liability or liabilities, of the State of California, in the aggregate amount of not more than two hundred million dollars (\$200,000,000), exclusive of refunding bonds, in the manner provided herein for the purpose of creating a fund to assist counties in the purchase of updated voting systems.

(b) The proceeds of bonds issued and sold pursuant to this article shall be deposited in the Voting Modernization Fund, which is hereby established.

(c) A county is eligible to apply to the board for fund money if it meets all of the following requirements:

(1) The county has purchased a new voting system after January 1, 1999, and is continuing to make payments on that system on the date that this article becomes effective.

PROPOSITION 41 (cont.)

(2) The county matches fund moneys at a ratio of one dollar (\$1) of county moneys for every three dollars (\$3) of fund moneys.

(3) The county has not previously requested fund money for the purchase of a new voting system. Applications for expansion of an existing system or components related to a previously approved application shall be accepted.

(d) Fund moneys shall only be used to purchase systems certified by the Secretary of State, pursuant to Division 19 (commencing with Section 19001), and in no event shall fund moneys be used to purchase a voting system that utilizes prescored punch card ballots.

(e) Any voting system purchased using bond funds that does not require a voter to directly mark on the ballot must produce, at the time the voter votes his or her ballot or at the time the polls are closed, a paper version or representation of the voted ballot or of all the ballots cast on a unit of the voting system. The paper version shall not be provided to the voter but shall be retained by elections officials for use during the 1 percent manual recount or other recount or contest.

19234.5. The Legislature may amend subdivisions (c) and (d) of Section 19234 and Section 19235 by a statute, passed in each house of the Legislature by rollcall vote entered in the respective journals, by not less than two-thirds of the membership in each house concurring, if the statute is consistent with, and furthers the purposes of, this article.

19235. The Voting Modernization Board is hereby established and designated the "board" for purposes of the State General Obligation Bond Law, and for purposes of administering the Voting Modernization Fund. The board consists of five members, three selected by the Governor, and two selected by the Secretary of State. The board shall have the authority to reject any application for fund money it deems inappropriate, excessive, or that does not comply with the intent of this article. A county whose application is rejected shall be allowed to submit an amended application.

19236. (a) All bonds authorized by this article, when duly sold and delivered as provided herein, constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal and interest thereof. The bonds issued pursuant to this article shall be repaid within 10 years from the date they are issued.

(b) There shall be collected annually, in the same manner and at the same time as other state revenue is collected, a sum of money, in addition to the ordinary revenues of the state, sufficient to pay the principal of, and interest on, these bonds as provided herein. All officers required by law to perform any duty in regard to the collection of state revenues shall collect this additional sum.

(c) On the dates on which funds are remitted pursuant to Section 16676 of the Government Code for the payment of the then maturing principal of, and interest on, the bonds in each fiscal year, there shall be returned to the General Fund all of the money in the fund, not in excess of the principal of, and interest on, any bonds then due and payable. If the money so returned on the remittance dates is less than the principal and interest then due and payable, the balance remaining unpaid shall be returned to the General Fund out of the fund as soon as it shall become available, together with interest thereon from the dates of maturity until returned, at the same rate of interest as borne by the bonds, compounded semiannually. This subdivision does not grant any lien on the fund or the moneys therein to holders of any bonds issued under this article. However, this subdivision shall not apply in the case of any debt service that is payable from the proceeds of any refunding bonds. For the purposes of this subdivision, "debt

service" means the principal (whether due at maturity, by redemption, or acceleration), premium, if any, or interest payable on any date to any series of bonds.

19237. Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund, for purposes of this article, a sum of money that will equal both of the following:

(a) That sum annually necessary to pay the principal of, and the interest on, the bonds issued and sold as provided herein, as that principal and interest become due and payable.

(b) That sum necessary to carry out Section 19238, appropriated without regard to fiscal years.

19238. For the purposes of this article, the Director of Finance may, by executive order, authorize the withdrawal from the General Fund of a sum of money not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold pursuant to this article. Any sums withdrawn shall be deposited in the fund. All moneys made available under this section to the board shall be returned by the board to the General Fund, plus the interest that the amounts would have earned in the Pooled Money Investment Account, from the sale of bonds for the purpose of carrying out this article.

19239. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purposes of carrying out this article. The amount of the request shall not exceed the amount of unsold bonds which the committee has, by resolution, authorized to be sold for the purpose of carrying out this article. The board shall execute whatever documents are required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this article.

19240. Upon request of the board, supported by a statement of its plans and projects approved by the Governor, the committee shall determine whether to issue any bonds authorized under this article in order to carry out the board's plans and projects, and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out these plans and projects progressively, and it is not necessary that all of the bonds be issued or sold at any one time.

19241. (a) The committee may authorize the Treasurer to sell all or any part of the bonds authorized by this article at the time or times established by the Treasurer.

(b) Whenever the committee deems it necessary for an effective sale of the bonds, the committee may authorize the Treasurer to sell any issue of bonds at less than their par value, notwithstanding Section 16754 of the Government Code. However, the discount on the bonds shall not exceed 3 percent of the par value thereof.

19242. Out of the first money realized from the sale of bonds as provided herein, there shall be redeposited in the General Obligation Bond Expense Revolving Fund, established by Section 16724.5 of the Government Code, the amount of all expenditures made for the purposes specified in that section, and this money may be used for the same purpose and repaid in the same manner whenever additional bond sales are made.

19243. Any bonds issued and sold pursuant to this article may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 2 of Title 2 of the Government Code. The approval of the voters for the issuance of bonds under this article includes approval for the issuance of bonds issued to refund bonds originally issued or any previously issued refunding bonds.

PROPOSITION 41 (cont.)

19244. Notwithstanding any provision of the bond act, if the Treasurer sells bonds under this article for which bond counsel has issued an opinion to the effect that the interest on the bonds is excludable from gross income for purposes of federal income tax, subject to any conditions which may be designated, the Treasurer may establish separate accounts for the investment of bond proceeds and for the earnings on those proceeds, and may use those proceeds or earnings to pay any rebate, penalty, or other payment required by federal law or take any other action with respect to the investment and use of bond proceeds required or permitted under

federal law necessary to maintain the tax-exempt status of the bonds or to obtain any other advantage under federal law on behalf of the funds of this state.

19245. The Legislature hereby finds and declares that, inasmuch as the proceeds from the sale of bonds authorized by this article are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, the disbursement of these proceeds is not subject to the limitations imposed by Article XIII B.

**PROPOSITION 42**

This amendment proposed by Assembly Constitutional Amendment 4 of the 2001–2002 Regular Session (Resolution Chapter 87, Statutes of 2001) expressly amends the California Constitution by adding an article thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED ADDITION OF ARTICLE XIX B

ARTICLE XIX B

MOTOR VEHICLE FUEL SALES TAX
REVENUES AND TRANSPORTATION
IMPROVEMENT FUNDING

SECTION 1. (a) *For the 2003–04 fiscal year and each fiscal year thereafter, all moneys that are collected during the fiscal year from taxes under the Sales and Use Tax Law (Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code), or any successor to that law, upon the sale, storage, use, or other consumption in this State of motor vehicle fuel, and that are deposited in the General Fund of the State pursuant to that law, shall be transferred to the Transportation Investment Fund, which is hereby created in the State Treasury.*

(b) (1) *For the 2003–04 to 2007–08 fiscal years, inclusive, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, in accordance with Section 7104 of the Revenue and Taxation Code as that section read on the operative date of this article.*

(2) *For the 2008–09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated solely for the following purposes:*

(A) *Public transit and mass transportation.*

(B) *Transportation capital improvement projects, subject to the laws governing the State Transportation Improvement Program, or any successor to that program.*

(C) *Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by cities, including a city and county.*

(D) *Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by counties, including a city and county.*

(c) *For the 2008–09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, as follows:*

(A) *Twenty percent of the moneys for the purposes set forth in subparagraph (A) of paragraph (2) of subdivision (b).*

(B) *Forty percent of the moneys for the purposes set forth in subparagraph (B) of paragraph (2) of subdivision (b).*

(C) *Twenty percent of the moneys for the purposes set forth in subparagraph (C) of paragraph (2) of subdivision (b).*

(D) *Twenty percent of the moneys for the purpose set forth in subparagraph (D) of paragraph (2) of subdivision (b).*

(d) *The transfer of revenues from the General Fund of the State to the Transportation Investment Fund pursuant to subdivision (a) may be suspended, in whole or in part, for a fiscal year if both of the following conditions are met:*

(1) *The Governor has issued a proclamation that declares that the transfer of revenues pursuant to subdivision (a) will result in a significant negative fiscal impact on the range of functions of government funded by the General Fund of the State.*

(2) *The Legislature enacts by statute, pursuant to a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, a suspension for that fiscal year of the transfer of revenues pursuant to subdivision (a), provided that the bill does not contain any other unrelated provision.*

(e) *The Legislature may enact a statute that modifies the percentage shares set forth in subdivision (c) by a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, provided that the bill does not contain any other unrelated provision and that the moneys described in subdivision (a) are expended solely for the purposes set forth in paragraph (2) of subdivision (b).*

**PROPOSITION 43**

This amendment proposed by Assembly Constitutional Amendment 9 of the 2001–2002 Regular Session (Resolution Chapter 114, Statutes of 2001) expressly amends the California Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT OF ARTICLE II

SEC. 2.5. *A voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted.*



PROPOSITION 44

This law proposed by Senate Bill 1988 of the 1999–2000 Regular Session (Chapter 867, Statutes of 2000) is submitted to the people in accordance with the provisions of subdivision (c) of Article II of Section 10 of the California Constitution.

This proposed law adds sections to the Business and Professions Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SEC. 5. Section 1003 is added to the Business and Professions Code, to read:

1003. (a) *Except as otherwise allowed by law, the employment of runners, cappers, steerers, or other persons to procure patients constitutes unprofessional conduct.*

(b) *A licensee of the State Board of Chiropractic Examiners shall have his or her license to practice revoked for a period of*

10 years upon a second conviction for violating any of the following provisions or upon being convicted of more than one count of violating any of the following provisions in a single case: Section 650 of this code, Section 750 or 1871.4 of the Insurance Code, or Section 549 or 550 of the Penal Code. After the expiration of this 10-year period, an application for license reinstatement may be made pursuant to subdivision (c) of Section 10 of the Chiropractic Act.

SEC. 6. Section 1004 is added to the Business and Professions Code, to read:

1004. *The State Board of Chiropractic Examiners shall investigate any licensee against whom an information or indictment has been filed that alleges a violation of Section 550 of the Penal Code or Section 1871.4 of the Insurance Code, if the district attorney does not otherwise object to initiating an investigation.*



PROPOSITION 45

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure expressly amends the California Constitution by adding sections thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT OF ARTICLE II

SECTION 1. Preamble

Term limits have reinvigorated the political process by promoting full participation and bringing a breath of fresh air to California government. The people recognize that in some instances a few specially skilled and popular lawmakers have been unable to complete important legislative programs for their districts before they must leave office. In recognition of these special cases, the people of California seek an opportunity by petition to extend some specific district representatives' terms in office by a maximum of four years.

SEC. 2. Section 21 is added to Article II of the California Constitution, to read:

SEC. 21. *Local Legislative Option. Local legislative option is the power of the voters residing in an Assembly or Senate district to exercise an option to allow their term-limited state legislator to stand for re-election for an extended term(s) in office, not to exceed a total of four years, notwithstanding Article IV, Section 2(a) of this Constitution.*

(a) *Local legislative option may be exercised only one time per lawmaker.*

SEC. 3. Section 22 is added to Article II of the California Constitution, to read:

SEC. 22. (a) *Exercise of the local legislative option is initiated by delivering to the Secretary of State a petition invoking the right of the people to re-elect a legislator who would otherwise be ineligible for re-election by reason of Article IV, Section 2(a).*

Proponents have 90 days to circulate petitions and must submit petitions for verification at least 30 business days prior to the first day candidates may file declarations of intention to become a candidate for legislative office.

(b) *A petition invoking local legislative option must be signed by electors of the district equal in number to 20 percent of the ballots cast for that office in the last general election for which the local legislative option is sought.*

(c) *Only electors registered to vote in the district in which the legislator is serving at the time the petition is filed, or following a redistricting, in the district in which the local legislative option is sought, may sign the petition.*

(d) *Legislators permitted to run under this section may run only in the district in which they are currently serving, or if that district is changed pursuant to redistricting, then in the successor district whose lines include the larger portion of the former district.*

(e) *Local voters may exercise this option to extend the time that a legislator would otherwise be permitted to serve by a period of four years.*

(f) *The petition must be in substantially the following form:*

We the undersigned registered voters of the ___ Assembly [or Senate] district hereby invoke our right pursuant to Article II, Section 21 of the California Constitution to vote for or against [here list the legislator by name] at the next election(s) for that office, but not to exceed a total of four years. Our reasons are as follows: [here set forth reasons in no more than 200 words]

(g) *Petitions shall be submitted to local election officers who shall certify the signatures to the Secretary of State in the same fashion as initiative petitions are certified. As soon as sufficient valid signatures are certified, the Secretary of State shall so advise local election officials, who shall place the name of the certified legislator on the ballot in the same fashion as if he or she were not subject to Article IV, Section 2(a).*



For more information, visit the
“*Vote America*” website at
www.voteamerica.ca.gov

ABSENTEE VOTER INFORMATION

VOTING BY MAIL

Any registered voter may vote by absentee ballot. You may register to vote absentee by either: (1) completing the absentee ballot application that is located in the back of the sample ballot and voter information pamphlet sent to voters by county elections officials prior to each election or (2) applying in writing to your local county elections official and providing your printed name and residence address, the address to which you want the absentee ballot sent (if different than your residence address), and the name and date of the election for which you are requesting an absentee ballot. Be sure to sign the request with your original signature.

Upon receipt of the absentee ballot, vote and mail the ballot back to your county elections official. Absentee ballots must be received by your county elections official no later than 8:00 p.m. on Election Day. If you are unable to get your voted absentee ballot in the mail on time, deliver the voted ballot to any polling place or elections office within your county on Election Day.

DATES TO REMEMBER

The first day that a voter can apply for an absentee ballot for the March 5, 2002, Primary Election is *February 4, 2002*.

The last day that county elections officials will accept any voter's application for an absentee ballot is *February 26, 2002*.

Please note:

Effective January 1, 2002, any registered voter may request permanent absent voter status. To do so, you must contact the elections official in your county of residence to request permanent absent voter status.



Secretary of State
1500 11th Street
Sacramento, CA 95814

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PRIMARY ELECTION

English: 1-800-345-VOTE (8683)
Spanish: 1-800-232-VOTA (8682)
Japanese: 1-800-339-2865
Vietnamese: 1-800-339-8163
Tagalog: 1-800-339-2957
Chinese: 1-800-339-2857

OFFICIAL VOTER INFORMATION GUIDE

In an effort to reduce election costs, the State Legislature has authorized the State and counties to mail only one pamphlet to addresses where more than one voter with the same surname resides. You may obtain additional copies by writing to your county elections official or by calling 1-800-345-VOTE.

